

AGENDA

CITY OF HENDERSONVILLE CITY COUNCIL – REGULAR MEETING

JANUARY 7, 2016 – 5:45 P.M.

Council Chambers – City Hall

1. **Call to Order**
2. **Invocation and Pledge of Allegiance**
3. **Public Comment Time:** *Up to 15 minutes is reserved for comments from the public for items not listed on the agenda*
4. **Consideration of Agenda**
5. **Consideration of Consent Agenda:** *These items are considered routine, noncontroversial in nature and are considered and approved by a single motion and vote.*
 - A. Consideration of Minutes: December 3, 2015 Regular Meeting
 - B. Consideration of Budget Amendments (4)
 - i. Wellness Grant: Increase \$2,000
 - ii. Fire Department: Salaries; Increase in part time and overtime pay
 - iii. Fire Department: Insurance settlement
 - iv. Fire Department: Car Seats Account
 - C. Consideration of Utilities Line Extension Agreements for the Oklawaha Village to be Located in the vicinity of N. Main Street
6. **Recognition – Furman United Soccer Club - 99G Purple Team, SC State Cup Tournament Champions**
Presenter: Mayor Barbara G. Volk
7. **Public Hearing – Consideration of a Petition from Capital Funds, Inc. to Close an Unopened Right-of-Way for Yarborough Street**
Presenter: Planning Director Sue Anderson

8. **Quasi-Judicial Public Hearing – Consideration of an Application from the Halvorsen Development Corporation for a Special Use Permit for a Project Known as South Market Village Including the Construction of a Grocery Store at the Corner of White Street and Greenville Highway**
Presenter: Planning Director Sue Anderson
9. **Consideration of Granting Award to Complete a Bicycle Plan**
Presenter: Planning Director Sue Anderson
10. **Consideration of Amendments to the Special Event Application Process and Policy Revisions**
Presenter: Downtown Economic Development Director Lew Holloway
11. **Consideration of Changes to Azalea and Laughter Parking Lots - Funded by a Downtown Revitalization Grant**
Presenters: Public Works Director Tom Wooten, Downtown Economic Development Director Lew Holloway, and City Planner Dave Hazzard
12. **Comments from Mayor and City Council Members**
13. **Reports from Staff**
 - A. **Reminder of Council Planning Retreat: February 11-12, 2016, location TBA**
14. **Boards and Commissions:**
 - A. **Consideration of Appointments to the Bicycle Plan Steering Committee**
Presenter: Sue Anderson, Planning Director
 - B. **Consideration of (Re)Appointments**
Presenter: City Clerk Tammie Drake
 - C. **Announcement of Upcoming Vacancies**
15. **New Business**
16. **Staff Request for Closed Session**
17. **Adjournment**



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Brian Pahle

Department: Admin

Date Submitted: 12/14/15

Presenter: Brian Pahle

Date of Council Meeting to consider this item: 01/07/16

Nature of Item: Council Action

Summary of Information/Request:

Item # 05b

Budget Amendments

- 1) Wellness Grant | Increase budget \$2,000 | Fund 80
- 2) Fire Dept. Salaries | No Change | Fund 10
- 3) Fire Dept. Insurance | Increase budget \$67,500 | Fund 10
- 4) Fire Dept. Car Seats | Increase budget \$2,748 | Fund 180

Budget Impact: \$ Listed above/below Is this expenditure approved in the current fiscal year budget? If no, describe how it will be funded.

Fund 80 \$2,000 Increase | Fund 10 No Change | Fund 10 \$67,500 Increase | Fund 180 \$2,748 Increase

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move to approve the stated budget amendments.

Attachments:

See below...

TO MAYOR & COUNCIL -

FISCAL YEAR 2016

BUDGET AMENDMENT

FUND:

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	INCREASE	DECREASE
ORG	OBJECT			
809700	424900	Wellness Grant Revenue	2,000.00	
809700	549030	NCLM Wellness Grant Expense	2,000.00	
		TOTALS IN BALANCE	\$ 4,000.00	\$ -

An increase in budgetary authority to expend funds for NCLM wellness grant in the amount of \$2,000.



CITY MANAGER

12/8/2015

Date:

APPROVED BY CITY COUNCIL:

DATE:

TO MAYOR & COUNCIL -

FISCAL YEAR 2016

BUDGET AMENDMENT

FUND:

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	INCREASE	DECREASE
ORG	OBJECT			
104340	512200	Salaries & Wages O/T	30,000.00	
104340	512600	Salaries & Wages Temp	30,000.00	
104340	512100	Salaries & Wages Regular		60,000.00
		TOTALS IN BALANCE	\$ 60,000.00	\$ 60,000.00

Heavy turnover has increased the Fire Department's reliance on part time and overtime personnel. Already they have utilized almost the full amount of their budgets respectively. The Interim Chief expects this usage to decline once the Department is fully staffed. Fortunately, the Department has had a vacant Fire Chief position for the entirety of the year so far. This excess salary is available to alleviate the increased overtime and part time salary usage. The funding is available and there are no concerns regarding this amendment for the remainder of the fiscal year.



CITY MANAGER

Date:

12-15-15

APPROVED BY CITY COUNCIL:

DATE:

1/7/2016

TO MAYOR & COUNCIL - January 7th, 2016

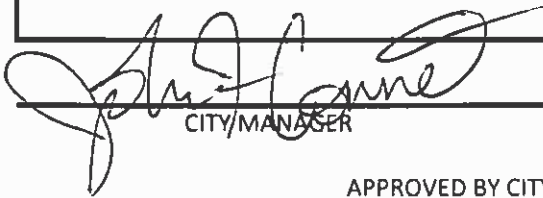
FISCAL YEAR 2016

BUDGET AMENDMENT

FUND: 10

ACCOUNT NUMBER			INCREASE	DECREASE
ORG	OBJECT	DESCRIPTION OF ACCOUNT		
104340	535300	R&M Trucks	67,500.00	
100090	444000	Insurance Settlement	67,500.00	
TOTALS IN BALANCE			\$ 135,000.00	\$ -

An amendment to increase the budgetary authority associated with the receipt of insurance proceeds to repair the Fire Trucks damaged during the "think pink" October truck wrapping.



CITY/MANAGER

Date:

12-16-15

APPROVED BY CITY COUNCIL:

DATE:

1/7/2016

TO MAYOR & COUNCIL -

FISCAL YEAR 2016

BUDGET AMENDMENT

FUND: 180

ACCOUNT NUMBER		DESCRIPTION OF ACCOUNT	INCREASE	DECREASE
ORG	OBJECT			
1800000	443220	Car Seat Sales	2,748.00	
1800000	527000	Purch for Resale Car Seats	2,748.00	
		TOTALS IN BALANCE	\$ 5,496.00	\$ -

The Fire Department has kept a separate bank account for the purchase and resale of car seats. This function will be brought into and accounted for by the City. They currently have \$2,748 which will become the initial budget for this Fund (180).



CITY MANAGER

Date: _____

APPROVED BY CITY COUNCIL:

DATE:

01/07/16



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Rhonda Wiggins

Department: Admin

Date Submitted: 12/03/2015

Presenter: Lee Smith

Date of Council Meeting to consider this item: 1/7/2016

Nature of Item: Council Action

Summary of Information/Request:

Item # 05c

Oklawaha Village Water and Sewer Utility Extension

This project will require an extension of the existing water and sewer system to serve Oklawaha Village. The project is proposed to serve 18 single family lots and 6 multi family buildings with 66 dwelling units. This project will be paid for by the Housing Assistance Corporation of Hendersonville, NC and is located near the intersection of North Main Street and Duncan Hill Road.

This extension will consist of:

2,597 lf of 8" PVC gravity sewer

1,362 lf of 12" DIP Waterline

2,852 lf of 8" DIP waterline

6 fire hydrants.

Based on the above information, the Water & Sewer Department has the capacity to support this additional infrastructure and associated connections and hereby recommends approval of said project contingent upon final approval of construction plans and specifications by the Water & Sewer Department.

Budget Impact: \$ 0 **Is this expenditure approved in the current fiscal year**
budget? N/A **If no, describe how it will be funded.**

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

"I move to accept this Water Utility Extension Project and to authorize the City Manager to execute the associated Water Utility Extension Agreement on behalf of the City."

Attachments:

Vicinity Map



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Admin

Date Submitted: 12-23-2015

Presenter: Mayor Volk

Date of Council Meeting to consider this item: 1-7-16

Nature of Item: Presentation Only

Summary of Information/Request:

Item # 06

Recognition of Furman United Soccer Club 99G Purple Team for winning the Publix's PMSL State Cup tournament in Columbia, SC. As South Carolina State Champions the team will represent the State of South Carolina in the regional tournament in Texas this summer. The team is coach by City Councilman Jerry Smith and made up of players mostly from Henderson County.

Budget Impact: \$ N/A Is this expenditure approved in the current fiscal year budget? N/A If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

N/A

Attachments:

Certificate of Achievement



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Sue Anderson, Planning Director

Department: Development Asst Dept

Date Submitted: December 2, 2015

Presenter: Sue Anderson

Date of Council Meeting to consider this item: January 7, 2016

Nature of Item: Council Action

Summary of Information/Request:

Item # 07

File # P15-44-SC

The City has received an application from Capital Funds Inc., to close an unopened right-of-way for Yarborough Street located on PIN # 9568-75-5382. This right-of-way is on property located adjacent to the Fresh Market property. A map, survey and legal description is included.

The Council adopted a Resolution of Intent to close this unopened right of way at their November 5, 2015 meeting. A copy of the Resolution of Intent was mailed to the adjoining property owners, notification of the proposed closing was posted on the property, and the Resolution of Intent and notice of the public hearing was advertised four times in the legal notice section of a local newspaper.

General Statue 160A-299 has procedures for permanently closing streets and alleys. Any person may be heard on the question of whether or not the closing would be detrimental to the public interest or the property rights of any individual. If it appears to the satisfaction of City Council after the hearing that closing this street is not contrary to the public interest, and that no individual owning property in the vicinity of the street portion or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to their property, the City Council may adopt an order closing this street portion.

Budget Impact: \$ _____ Is this expenditure approved in the current fiscal year budget? ☐ N/A If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move Council to adopt the Order to Permanently Close an unopened and unimproved ROW for Yarborough Street located on PIN # 9568-75-5382 as petitioned by Capital Funds Inc.

Attachments:

Resolution of Intent
Memo
Map
Survey

Resolution #15-1165

RESOLUTION OF INTENT

A resolution declaring the intention of the City of Hendersonville City Council to consider closing an unopened right-of-way for Yarborough Street located on PIN 9568-75-5382 as petitioned by Capital Funds Incorporated.

WHEREAS, NC General Statute (G.S.) 160A-299 authorizes the City Council to close public streets and alleys, and

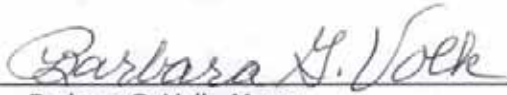
WHEREAS, Capital Funds Incorporated has petitioned the Council of the City of Hendersonville to close an unopened right-of-way for Yarborough Street located on PIN # 9568-75-5382, and

WHEREAS, the City Council considers it advisable to conduct a public hearing for the purpose of giving consideration to the closing of an unopened right-of-way for Yarborough Street located on PIN # 9568-75-5382.


NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hendersonville:

1. A meeting will be held at 5:45 p.m. on the seventh day of January, 2016, in the Council Chambers of City Hall to consider closing an unopened right-of-way for Yarborough Street located on PIN 9568-75-5382.
2. The City Clerk is hereby directed to publish this Resolution of Intent once a week for four successive weeks.
3. The City Clerk is further directed to transmit by registered or certified mail to each owner of property abutting upon that portion of said street a copy of the Resolution of Intent.
4. The City Clerk is further directed to cause adequate notices of the Resolution of Intent and the scheduled public hearing to be posted as required by G.S. 160A-299.

Adopted by the City Council at a meeting held on the fifth day of November, 2015.


Barbara G. Volk, Mayor

ATTEST:


Tammie K. Drake, MMC, City Clerk

(Seal)

MEMORANDUM

Development Assistance Department

TO: Honorable Mayor and Members of City Council

FROM: Sue Anderson, Planning Director

RE: Capital Funds Inc. Street Closing (File No.P15-44-SC)

DATE: December 2, 2015

The City has received an application from Capital Funds Inc., to close an unopened right-of-way for Yarborough Street located on PIN # 9568-75-5382. This right-of-way is on property located adjacent to the Fresh Market property. A map, survey and legal description is included.

The Council adopted a Resolution of Intent to close this unopened right of way at their November 5, 2015 meeting. A copy of the Resolution of Intent was mailed to the adjoining property owners, notification of the proposed closing was posted on the property, and the Resolution of Intent and notice of the public hearing was advertised four times in the legal notice section of a local newspaper.

General Statue 160A-299 has procedures for permanently closing streets and alleys. Any person may be heard on the question of whether or not the closing would be detrimental to the public interest or the property rights of any individual. If it appears to the satisfaction of City Council after the hearing that closing this street is not contrary to the public interest, and that no individual owning property in the vicinity of the street portion or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to their property, the City Council may adopt an order closing this street portion.

Order # _____

ORDER TO PERMANENTLY CLOSE A STREET OR ALLEY**TO WHOM IT MAY CONCERN:**

WHEREAS, North Carolina General Statute Section §160A -299 authorizes a city council to permanently close any street or public alley way within its corporate limits or area of extraterritorial jurisdiction and provides a procedure for the closing; and

WHEREAS, Capital Funds Inc., has petitioned the Council of the City of Hendersonville to close an unopened right-of-way for Yarborough Street located on PIN # 9568-75-5382; and

WHEREAS, on the fifth day of November 2015, the City Council adopted a resolution expressing the intention of the municipality to close an unopened right-of-way for Yarborough Street located on PIN # 9568-75-5382; and

WHEREAS, the aforementioned resolution has been published once a week for four successive weeks prior to the public hearing as required and a copy thereof has been sent by certified mail to all owners of property adjoining the unopened and unimproved ROW as shown on the county tax records; and

WHEREAS, notice of the closing and of the public hearing has been posted in at least two places along the unopened and unimproved ROW; and

WHEREAS, a public hearing was held in conformance with the aforementioned public notice on the seventh day of January 2016.

NOW, THEREFORE, the City Council of the City of Hendersonville does hereby make the following findings of fact:

1. The closing of an unopened right-of-way for Yarborough Street located on PIN # 9568-75-5382, hereafter described, is not contrary to the public interest.
2. No individual owning property in the vicinity of the unopened ROW or in the subdivision in which it is located would be deprived by the closing of such unopened ROW of reasonable means of ingress and egress to their property.

IN CONSIDERATION THEREOF, IT IS HEREBY ORDERED:

1. The following unopened right-of-way for Yarborough Street located on PIN # 9568-75-5382 is permanently closed and is no longer existent as of the effective date of this order:

**LEGAL DESCRIPTION FOR AREA OF YARBOROUGH STREET TO BE
CLOSED AND CONVEYED TO PIN 9568-75-5382**

Lying in Hendersonville Township, Hendersonville County, North Carolina and being described according to a survey by McAbee & Associates, P.A. titled "Exhibit For Closure of Yarborough Street" dated 09-16-15 as follows:

BEGINNING at a point in the northern right of way of Yarborough Street (unopened) (30' R/W per Deed Book 70, Page 87), said point being located S 03°04'22" E 24.48' from a #4 REBAR FOUND (0.9' A.G.), located in the northwest corner of PIN 9568-75-5382; thence from said BEGINNING POINT with the northern right of way of Yarborough Street (unopened) N 88°07'28" E 69.93' to a point; thence with the northeasterly right of way of Yarborough Street (unopened) S 37°17'05" E 191.81' to a point; thence with the easterly right of way of Yarborough Street (unopened) S 02°43'41" E 213.44' to a point located in the northern line of Joe R. Crowell and Denise J. Crowell (SLIDE 3756); thence with the northern line of Joe R. Crowell N 79°11'35" W 15.43' (passing through a point in Yarborough Street at 8.71'); thence with the center of Yarborough Street (unopened) N 02°43'41" W 63.43' to a point; thence with the center of Yarborough Street (unopened) N 79°12'04" W 119.11' to a point in the westerly right of way of Yarborough Street (unopened) (30' R/W PER PCAB B SLIDE 244); thence with the westerly right of way of Yarborough Street (unopened) N 04°30'07" E 15.09' to a point; thence with the northerly right of way of Yarborough Street (unopened) S 79°12'04" E 101.73' to a point in the westerly right of way of Yarborough Street (unopened); thence with the westerly right of way of Yarborough Street (unopened) N 02°43'41" W 118.00' to a point; thence continuing with the northwesterly right of way of Yarborough Street (unopened) N 37°17'05" W 167.00' to a point; thence continuing with the northerly right of way of Yarborough Street (unopened) S 88°07'28" W 53.82' to a #4 REBAR found (0.4' B.G.); thence with the westerly right of way of Yarborough Street (unopened) N 03°04'22" W 30.01' to the place of BEGINNING containing 0.321 Acres or 13982 Sq. Feet.

**LEGAL DESCRIPTION FOR AREA OF YARBOROUGH STREET TO BE
CLOSED AND CONVEYED TO PIN 9568-75-3151**

Lying in Hendersonville Township, Hendersonville County, North Carolina and being described according to a survey by McAbee & Associates, P.A. titled "Exhibit For Closure of Yarborough Street" dated 09-16-15 as follows:

BEGINNING at a #4 REBAR FOUND (0.1' A.G.) located in the easterly line of Turner J. Hite and Kathryn J. Hite (Deed Book 940, Page 184), said rebar being located N 02°33'05" W 25.53' from a #4 REBAR FOUND (0.1' B.G.) located in the southeasterly corner of Turner J. Hite; thence from said BEGINNING POINT with the east line of Turner J. Hite (also being the

western right of way of Yarborough Street (unopened) (30' R/W per Deed Book 70, Page 87 and N 30' R/W PCAB B SLIDE 244) N 02°43'41" W 48.00' to a #5 REBAR FOUND (0.1' B.G.), located in the northeast corner of Turner J. Hite; thence with the northern line of Turner J. Hite N 79°12'04" W 105.64' to a 1"Ø IPIPE FOUND (FLUSH), located in the northwest corner of Turner J. Hite; thence N 04°30'07" E 15.09' to a point in the center of Yarborough Street (unopened); thence S 79°12'04" E 119.11' to a point in the center of Yarborough Street (unopened); thence S 02°43'41" E 63.43' to a point in the center of Yarborough Street (unopened); thence N 79°11'35" W 15.43' to the place of BEGINNING containing 0.058 Acres or 2521 Sq. Feet.

2. The City Clerk shall forthwith cause a copy of this order to be filed in the Office of the Register of Deeds of Henderson County.

This order shall take effect the seventh day of January 2016.

Barbara G. Volk, Mayor, City of Hendersonville

ATTEST:

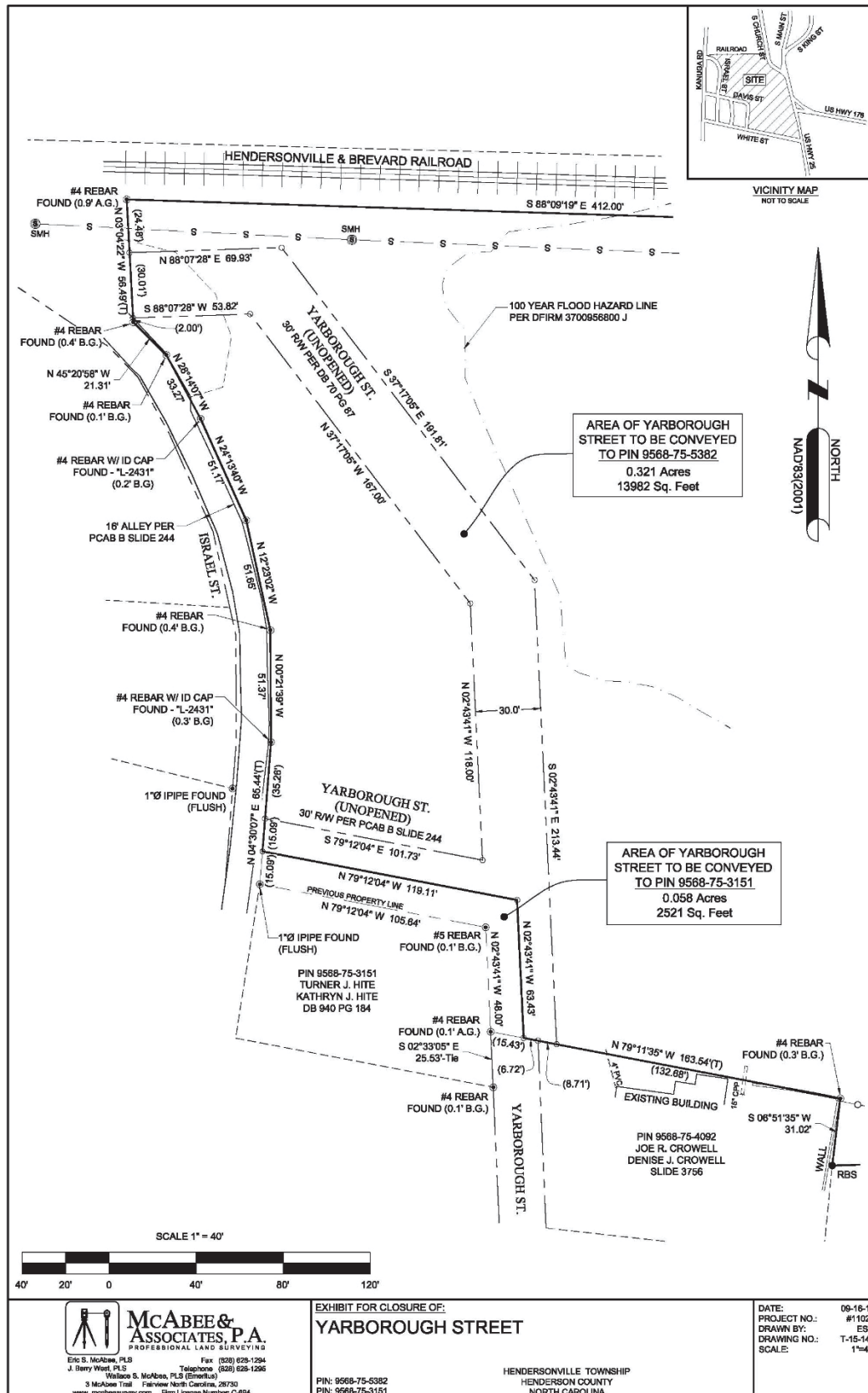
Tammie K. Drake, City Clerk

Approved as to form:

Samuel H. Fritschner, City Attorney



Exhibit A





CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Sue Anderson, Planning Director

Department: Development Asst Dept

Date Submitted: December 22, 2015

Presenter: Sue Anderson

Date of Council Meeting to consider this item: January 7, 2016

Nature of Item: Council Action

Summary of Information/Request:

Item # 08

File #P15-16-SUR

The City is in receipt of a Special Use Permit application from Halvorsen Development Corporation to construct a 49,098 sq. ft. grocery store located on the southwest corner of White Street and Greenville Highway. This project includes the following parcels:

PIN 9568-84-0380
PIN 9568-84-1291
PIN 9568-84-0002
PIN 9568-73-9994
PIN 9568-84-2176
PIN 9568-84-2052
PIN 9568-83-1970
PIN 9568-83-3809
PIN 9568-83-2720



Budget Impact: \$ _____ Is this expenditure approved in the current fiscal year budget? ☐ N/A If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

See pages 9 and 10 for suggested motions.

Attachments:

Memo

M E M O R A N D U M

TO: Honorable Mayor and City Council

FROM: Susan Anderson

RE: South Market Village

FILE #: P15-16-SUR

DATE: December 22, 2015

PROJECT DESCRIPTION

The City is in receipt of a Special Use Permit application from Halvorsen Development Corporation to construct a 49,098 ft² grocery store located on the corner of White Street and Greenville Highway. This project includes the following parcels:

PIN 9568-84-0380	PIN 9568-84-2052
PIN 9568-84-1291	PIN 9568-83-1970
PIN 9568-84-0002	PIN 9568-83-3809
PIN 9568-73-9994	PIN 9568-83-2720
PIN 9568-84-2176	

EXISTING LAND USES & ZONING

The proposed project consists of nine parcels and has a total of approximately 6.86 acres. All of the parcels have existing vacant or soon to be vacant buildings with the exception of the southernmost parcel which is vacant land. The existing zoning classifications for these parcels are C-2 Secondary Business, C-3 Highway Business, and R-20 Low Density Residential and are shown on the Zoning map on page 22.

Surrounding land uses can be seen in the Aerial View map on page 22. To the north of these parcels is White Street, a bank zoned C-3 Highway Business and a strip mall that includes a grocery store zoned CMUSU Commercial Mixed Use Special Use. To the east is Greenville Highway and a mix of commercial, retail, business, and restaurant uses that are zoned C-3 Highway Business. To the south is a gas station zoned C-3 Highway Business, a vacant parcel zoned PCD Planned Commercial Development and a vacant City owned parcel zoned R-20 Low Density Residential. To the west is Mud Creek and parcels that include a business zoned R-15 Medium Density Residential, a vacant parcel, two parcels with single family residential uses, and a parcel with a business all zoned C-2 Secondary Business.

COMPREHENSIVE PLAN CONSISTENCY

The parcels included in this project and adjacent parcels are classified as Neighborhood

Activity Center and Natural Resource Agricultural on the 2030 Comprehensive Plan's Future Land Use Map.

The goal of the Neighborhood Activity Center is to “concentrate retail in dense, walkable mixed-use nodes located at major intersections in order to promote a sense of community and a range of services that enhance the value of Hendersonville’s neighborhoods.”

The goal of the Natural Resource/Agricultural classification is to “create an interconnected network of green infrastructure that preserves environmentally sensitive areas, protects water resources through low-impact stormwater management, provides floodwater storage, provides community open space and recreational opportunities, and preserves agricultural resources.”

Comprehensive Plan consistency is addressed under “E” on page seven. The Comprehensive Plan Future Land Use map is located on page 23.

PLAN REVIEW

General

The approximately 6.86 acre site currently has eight main buildings and associated parking. The applicant is proposing to replace the existing buildings with a 49,098 ft² grocery store and a vehicular use area that includes 251 parking spaces.

Buildings

The proposed building is 49,098 ft² and the maximum building height is 40'. Maximum building height for the Planned Commercial Development district is 48'.

The Preliminary Site plans along with architectural elevations showing proposed façades are included with this memorandum on pages 24 -25.

Parking

The site plan shows 251 parking spaces. Table 6-5-2 requires a minimum of 246 spaces based one space per each 200 ft² of gross floor area for grocery stores.

Sidewalks

A sidewalk is shown along the parcel fronting on White Street and Greenville Highway. This sidewalk connects White Street and Greenville Highway to the proposed building.

Street Closing

Existing Market Street and it's right of way are currently located on this site and are the only access to the City owned PIN 9568-73-9217 to the south. The site plans indicate the statement “existing Market Street R/W to be vacated...” and have proposed a “variable width access easement (minimum 25’)” to the City PIN 9568-73-9217 property. This easement requirement has been added to the List of Uses and Conditions.

Redevelopment in the Floodway and Special Flood Hazard Area

The entire site for this project is located in the floodway and is shown on the Stream and Flood map on page 23.

Section 17-2-4 of the Zoning Ordinance allows redevelopment to occur on existing developed sites which no longer function as natural flood plain and when such redevelopment will not result in any further loss of flood-plain functionality. This section states that “where feasible, redevelopment proposals should demonstrate an improvement in the site’s functionality as a flood plain. In light of this intent, redevelopment of existing developed sites shall be permitted within the floodway and special flood hazard area only when the applicant has satisfactorily demonstrated the following:

a)The proposal is to redevelop an existing developed site as of the date of this ordinance evidenced by substantial coverage of the site by buildings, fill, gravel or paved drives or parking areas or other impervious surfaces.

b)There shall be no loss of flood storage capacity on the site as a result of the redevelopment.

c)The applicant, utilizing best management practices, shall reduce the post-redevelopment rate of stormwater runoff from the pre-redevelopment rate of runoff, if feasible. In any event, the post-redevelopment rate of runoff shall not be greater than the pre-redevelopment rate.

d)The project design, including any best management practices (BMPs) will result in a project which is consistent with the purposes of the Natural Resources Protection Ordinance as stated in Section 17-1. In this regard, the applicant shall demonstrate the following:

- 1) The project shall not degrade the quality of the water in creeks, streams, ponds and lakes that flow into and out of the city.
- 2) The project shall not contribute to future flooding problems.
- 3) The project preserves the water carrying capacity of watercourses and the natural water storage of the special flood hazard area.
- 4) The project protects land and watercourses from pollutants, sedimentation and erosion.
- 5) The project retains open spaces in order to protect their environmentally-sensitive character; and
- 6) The project protects and conserves significant natural resources from degradation due to urbanization.

e)The applicant shall comply with all relevant provisions of the Flood Damage Prevention Ordinance including obtaining a no-rise certificate, if needed”.

Stormwater

The applicant will be improving the site's stormwater management meeting current Phase II stormwater management requirements.

Landscaping

Required planting buffers areas are shown on the preliminary site plan. Actual plantings will be shown on landscaping plans that are submitted with the final site plan. The applicant is requesting a variance from some of the buffer requirements.

Traffic Impact Analysis (TIA)

Zoning Ordinance Section 6-19 requires a traffic impact analysis whenever a development generates 100 peak hour or 1000 or more trips daily. A "trip" is a one-direction vehicle movement entering or exiting a site.

A Traffic Impact Analysis (TIA) has been completed by Kimley-Horn & Associates and has been reviewed by Mattern & Craig on behalf of the City. This TIA was based on a store size of 49,098 ft². Based on the Institute of Transportation Engineers *Trip Generation* manual, a 49,098 ft² grocery store is estimated to generate a total of 4,277 daily trips.

As per the TIA by Kimley Horn "the following improvements are recommended to mitigate the impact of the proposed development on the adjacent street network"

Greenville Hwy (NC225) at White Street

- Extend the existing eastbound right-turn lane on White Street to maximize storage while tapering to a single lane just east of proposed driveway on White Street.

Greenville Hwy (NC225) at Copper Penny Street

- Construct a northbound left-turn lane with a minimum of 100 feet of storage
- Construct a southbound right-turn lane with a minimum of 50 feet of storage

The Site Plan, as shown on page 24, meets or exceeds all of the recommended improvements as stated above. Also note that Greenville Highway and White Street are NCDOT roads. NCDOT will have to approve all improvements before final site plan approval.

Rezoning

The applicant is requesting a rezoning from City of Hendersonville C-2 Secondary Business, C-3 Highway Business, and R-20 Low Density Residential to PCD Planned Commercial Development.

Variance Requests

Stream Buffers

Section 17-3 Stream Buffer Protection Standards. The primary objective of stream

buffer protection standards is to maintain land adjacent to streams in an undisturbed vegetated state in order to enhance and maintain water quality, protect stream channel wetlands, minimize stormwater runoff, reduce sedimentation and erosion, conserve plant and wildlife habitat and protect wildlife movement corridors.

The Zoning Ordinance requires all “blue line” streams to have a thirty foot stream buffer and a twenty foot transition zone as measured from the top of stream bank. The thirty foot stream buffer shall remain in natural undisturbed forest vegetation and no development or land-disturbing activities shall be undertaken within this area. The twenty foot transition zone may be graded, landscaped and/or used for pedestrian or vehicular purposes so long as no impervious materials are utilized.

Mud Creek runs along the western border of this project and Johnson Ditch runs along the south east border, both of which are identified as “blue line” streams on the U.S. Geologic Survey map. The site plan shows the proposed building and asphalt vehicular use area in the transition zone and a wall and asphalt vehicular use area in the stream buffer.

The applicant is requesting a variance from the stream buffer protection standards contained in Section 17-3-3. As per the variance application, “the existing developed condition within the 30’ and 20’ stream buffer are more impactful to the buffer than the proposed condition.” Section 17-6 does have a provision to allow a varying of the above requirements for previously cleared or developed sites. This applies when “the applicant for development authorization demonstrates the proposed development, along with any management practices, will result in an increase of functionality of any regulated natural resources on the development site.”

The applicant has included a stream buffer exhibit showing the pre development and post development conditions which is on page 26. Also, the application for this variance request is on pages 17 and 18.

Buffering, Screening and Landscaping

Section 15-6 Bufferyards. Certain land uses may create an adverse impact when developed adjacent to other less intensive land uses. A bufferyard is a permanent unit of land together with plantings and structure(s), if any, which is designed to mitigate such adverse impacts.

The western property line has 397 linear feet along Mud Creek which is adjacent to either residential use or residential zoning. Section 15-6 of the Zoning Ordinance requires a 10’ Type B buffer along this area. The western property line has 130 linear feet adjacent to a commercial use which as per Section 15-9b of the Zoning Ordinance requires a 5’ planting strip.

The applicant is requesting a variance from Section 15-6 and 15-9b of the Zoning Ordinance to eliminate sections of the 10’ Type B buffer and the 5’ planting strip along the

western property boundary, and to relocate these plantings to the south western corner of the property. The application for this variance is on pages 19 and 20.

ANALYSIS

Section 7-4-10.1 of the Zoning Ordinance states, "no special use permit shall be approved by City Council unless each of the following findings is made."

- (A) The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.

Staff has not identified any issues relating to public health, safety or general welfare.

- (B) There are, or will be at the time they are required, adequate public facilities to serve the use or development as specified in Section 7-11.

The property is currently served by water and sewer. Modifications to the adjacent public streets are proposed to address traffic issues.

- (C) The use or development complies with all required regulations and standards of the Zoning Ordinance or with variances thereto, if any, granted pursuant to Section 7-4-14, and with all other applicable regulations.

The applicant is requesting the following variances:

#1 A variance from Zoning Ordinance Section 17-3-3, to allow the proposed building and asphalt vehicular use area in the required stream transition zone and a wall and asphalt vehicular use area in the required stream buffer.

#2 A variance from Zoning Ordinance section 15-6 and 15-9b, to relocate a portion of the required buffer plantings along the western property line to be redistributed to an area located in the south western corner of the property as identified on sheet C2-0.

Variance request applications and justifications begin on page 17.

- (D) The use or development is located, designed, and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located.

A neighborhood compatibility meeting concerning the application was held on June 15, 2015. Notice was provided by U.S. mail to the owners of record of all property situated within 400 feet of the subject property.

Approximately 22 members of the general public attended the meeting. The

general public asked questions regarding the following:

- **Effect on existing entrances on Greenville Hwy**
- **Traffic light**
- **Turn lanes**
- **Landscape buffers**
- **Traffic**
- **Stormwater**
- **Truck traffic**

A copy of the neighborhood compatibility report accompanies this memorandum.

- (E) The use or development conforms to the general plans for the physical development of the City as embodied in this Ordinance and in the *Comprehensive Plan* and the *Comprehensive Transportation Plan*.

The 2030 Comprehensive Plan's Neighborhood Activity Center category is intended to "concentrate retail in dense, walkable mixed-use nodes located at major intersections in order to promote a sense of community and a range of services that enhance the value of Hendersonville's neighborhoods."

The 2030 Comprehensive Plan's Natural Resource/Agricultural classification is intended to "create an interconnected network of green infrastructure that preserves environmentally sensitive areas, protects water resources through low-impact stormwater management, provides floodwater storage, provides community open space and recreational opportunities, and preserves agricultural resources."

The 2008 Comprehensive Transportation Plan has the following recommendations:

C17 NC225 "Greenville Highway" Add turn lanes, widen shoulders and improve intersections between Spartanburg Highway and Erkwood Drive.

C19 "White Street" Construct three lane connector replacing existing segment of White Street between Greenville Highway and Kanuga Road.

PLANNING BOARD

The Planning Board took this matter up at its regular meeting of December 14, 2015. The Planning Board voted unanimously to the following:

Variance Request #1

Recommend City Council approve a variance from Zoning Ordinance Section 17-3-3, to allow the proposed building and asphalt vehicular use area in the required stream transition zone and a wall and asphalt vehicular use area in the required stream buffer as shown on the Preliminary Site Plan for the reason to give access to truck ingress and egress.

Variance Request #2

Recommend City Council approve a variance from Zoning Ordinance Section 15-6 and 15-9b, to relocate a portion of the required buffer plantings along the western property line to an area located in the southwestern corner of the property as shown on the Preliminary Site Plan for the reason that it is environmentally sound to make the improvements.

Special Use Permit and Rezoning

Recommend City Council adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of:

PIN's 9568-84-0380 and 9568-84-1291 from C-2 Secondary Business to PCD Planned Commercial Development;

PIN's 9568-84-2176, 9568-84-2052, 9568-83-2720, and 9568-83-3809 from C-3 Highway Business to PCD Planned Commercial Development; and

PIN's 9568-84-0002, 9568-73-9994, and 9568-83-1970 from R-20 Low Density Residential to PCD Planned Commercial Development; and,

Recommend City Council approve the application of South Market Village for a Special Use Permit based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the published List of Uses and Conditions for the benefit of the community.

SUGGESTED MOTIONS

Variance Request #1

Approval:

I move City Council to approve a variance from Zoning Ordinance Section 17-3-3, to allow the proposed building and asphalt vehicular use area in the required stream transition zone and a wall and asphalt vehicular use area in the required stream buffer as shown on the Preliminary Site Plan.

[PLEASE STATE YOUR REASONS]

Denial:

I move City Council to not approve a variance from Zoning Ordinance Section 17-3-3, to allow the proposed building and asphalt vehicular use area in the required stream transition zone and a wall and asphalt vehicular use area in the required stream buffer as shown on the Preliminary Site Plan.

[PLEASE STATE YOUR REASONS]

Variance Request #2

Approval:

I move City Council to approve a variance from Zoning Ordinance Section 15-6 and 15-9b, to relocate a portion of the required buffer plantings along the western property line to an area located in the southwestern corner of the property as shown on the Preliminary Site Plan.

[PLEASE STATE YOUR REASONS]

Denial:

I move City Council to not approve a variance from Zoning Ordinance Section 15-6 and 15-9b, to relocate a portion of the required buffer plantings along the western property line to an area located in the southwestern corner of the property as shown on the Preliminary Site Plan.

[PLEASE STATE YOUR REASONS]

Special Use Permit and Rezoning

Approval:

I move City Council to adopt an ordinance amending the official zoning map of the City of Hendersonville changing the zoning designation of:

PIN's 9568-84-0380 and 9568-84-1291 from C-2 Secondary Business to PCD Planned Commercial Development;

PIN's 9568-84-2176, 9568-84-2052, 9568-83-2720, and 9568-83-3809 from C-3 Highway Business to PCD Planned Commercial Development; and

PIN's 9568-84-0002, 9568-73-9994, and 9568-83-1970 from R-20 Low Density Residential to PCD Planned Commercial Development;

[PLEASE STATE YOUR REASONS]

I further move City Council to approve the application of Halvorsen Development Corporation for a Special Use Permit based on the site plan submitted by the applicant and subject to the limitations and conditions stipulated on the published List of Uses and Conditions.

Denial:

I move City Council to not approve the application of Halvorsen Development Corporation for issuance of a Special Use Permit.

[PLEASE STATE YOUR REASONS]

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF THE CITY OF HENDERSONVILLE**

IN RE: South Market Village
(File # P15-16-SUR)

Be it ordained by the City Council of the City of Hendersonville:

1. Pursuant to Article XI of the Zoning Ordinance of the City of Hendersonville, North Carolina, the Zoning Map is hereby amended by changing the zoning designation of the following as shown in Exhibit A and described below:

PIN's 9568-84-0380 and 9568-84-1291 from C-2 Secondary Business to PCD Planned Commercial Development;

PIN's 9568-84-2176, 9568-84-2052, 9568-83-2720, and 9568-83-3809 from C-3 Highway Business to PCD Planned Commercial Development;

PIN's 9568-84-0002, 9568-73-9994, and 9568-83-1970 from R-20 Low Density Residential to PCD Planned Commercial Development;
2. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this 7th day of January 2016.

Barbara Volk, Mayor

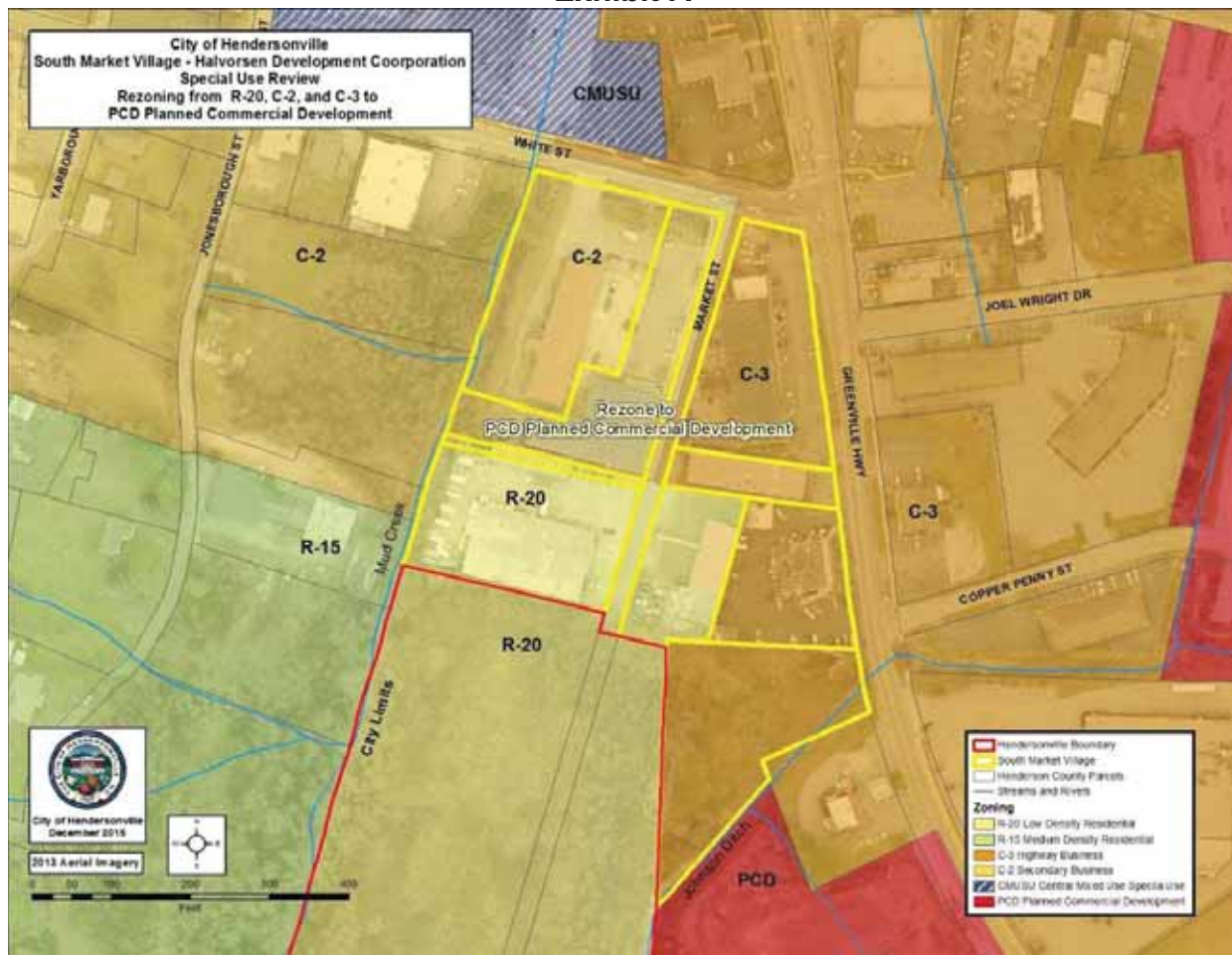
ATTEST:

Tammie K. Drake, CMC, City Clerk

Approved as to form:

Samuel H. Fritschner, City Attorney

Exhibit A



IN RE: South Market Village (File # P15-16-SUR)

List of Uses & Conditions

I. Stipulated Uses:

Only the following uses are authorized for the referenced development:

Retail Stores

II. Conditions:

(1) Shall Be Attached to the Special Use Permit and Satisfied Prior to Issuance of Final Site Plan Approval:

Submit a street closing application to close the Market Street right of way. A public hearing will need to be held by City Council prior to determining whether or not to close Market Street. This public hearing is required to be held prior to final site plan approval.

Provide an access easement that is satisfactory to the City for access to the City owned PIN 9568-73-9217.

Recombination of all parcels or portions thereof included in this Special Use application.

The applicant shall comply with all relevant provisions of the Flood Damage Prevention Ordinance including obtaining a no-rise certificate, if needed.

(2) Shall Be Attached to the Special Use Permit:

Final plans for the project shall comply with approved plans, the conditions agreed to on the record of this proceeding and applicable provisions of the Zoning Ordinance.

South Market Village

Signature: _____

Printed Name: _____

Date: _____

Planning Director's Report
Neighborhood Compatibility Meeting
Application for a Special Use Permit and Rezoning
South Market Village File #P15-16-SUR
Monday June 15, 2015 1:30 p.m.

Sue Anderson, Planning Director, convened the compatibility meeting at 1:40 pm in the Assembly Room of the City Operations Center. The following were in attendance:

Name	Address	Name	Address
Brady Finklea (applicant)	Charlotte	Eric Hampton (applicant)	Charlotte
Jim Hall	401 N Main	Michael P???	160 White Street
Charles & Janet Hickey	116 Finley Cove Road	James Barnett	640 Greenville Hwy
Larry Baber	605 Greenville HWY	Scott Surret	607 Greenville Hwy
Hank Outlaw	200 N Grove Street	Nick Mazzarell	200 N Grove Street
Mark Thompson	718 Jonesborough St	Laura Cline	104 1 st Ave E
Edward Baynard	701 Greenville Hwy	Richard Wehrly	108 Radcliff Ct
Ken Fitch	1046 Patton Street	San Winfield	3675 Spartanburg Hwy
Donald Roth	154 White Street	Jon Moss	374 S. Lakewood Cir
Mike Gilliam	200 White Street	Preston Mintz	159 Ravens Meadows
Jacob Biba	46 Fulton St	Nathan Kennedy	100 Arburts Land
Todd Robbins	WHOS-TV	Larry Rogers	PEP
John Connet	City Hall	Adam Murr	City Hall
Sue Anderson	City Hall	Lu Ann Welter	City Hall

Ms. Anderson opened the meeting explaining this is the first step in a three step process. Minutes of this meeting will be forwarded to Planning Board and City Council. She said this could move forward to either the July 13 or August 10 Planning Board meetings and the August 6 or September 3 City Council meetings, depending on applicant submittal of plans.

Eric Hampton, of Kimley-Horn & Associates, said he is here with Brady Finklea as representatives of Halverson Development Company. He explained they are proposing to redevelop the corner of White Street and Grenville Highway for a 50,000 sq. ft. retail grocery. This will remove several smaller buildings currently on the site. It will be a standalone building with parking around it. The loading are will be in the rear. In the front lower corner, they are proposed bio-cells or rain beds to collect the stormwater and there will be water retention area below. Mr. Hampton said currently there is no stormwater retention on site so the new retention area will improve the run-off situation. He said there will be one entrance/exit on Greenville Highway and one on White Street. Street trees will be added and they will be retaining the streambuffer behind the development. Mr. Hampton added the store will have a pharmacy, drive thru.

Bradley Finklea addressed the traffic issues stating they have yet to turn in a Traffic

Impact Study (TIA). Once that is complete, it will be reviewed by the City and NCDOT. On Greenville Highway, there is currently five, full-movement driveways with this property and they will be removed all but one. On White Street, the two drives will be reduced to one and each of the drives will be pushed away from the traffic light signal at Greenville Highway and White Street.

Jim Barnett asked how this will affect his entrances along Greenville Highway. Mr. Finklea said it shouldn't affect them at all. Mr. Barnett asked if a traffic light will be added. Mr. Finklea said no. Janet Hickey asked about traffic generation and traffic counts. Mr. Finklea said the TIA will have these numbers and they will be looking at more than that intersection. Jim Hall asked if there will be turn lanes. Mr. Hampton said yes but the exact location and length have not been determined. Mr. Hall said he owns several properties in that area and endorses the project.

Mark Thompson said his property is on the other side of the river and asked about a buffer. Mr. Finklea said Hendersonville is a Phase 2 stormwater community so they are required to treat any runoff water before it is released. The water will continue to run in the same direction it is now running and be retained. Mr. Hampton said they will not have a direct flow into Mud Creek. Mr. Thompson asked about the loading area and retaining wall. Mr. Hampton said along the creek, the vegetation will not be disturbed. The retaining wall will be on their property.

Ken Fitch expressed concerns with traffic as this will be a destination point for people in other parts of the city. He wondered if making the stormwater problem better will actually solve the problems. He asked if they are working with Ingles on these issues. And how Kimley-Horn is involved in this project. Mr. Hampton said Kimley-Horn is here to represent Halverson not the City. Ms. Anderson said another traffic consultant would review the TIA. Mr. Finklea said they will be using data from the Ingles TIA. Mr. Hampton said with the flooding problems, there are two issues. One is stormwater or rain runoff. The plan to handle that is site specific so what Ingles has to do is different than what they will be required to do. With the underlining basin problems, FEMA requirements will dictate those actions. Mr. Fitch asked about the traffic going through the pharmacy drive-thru. Mr. Hampton said the site only has two entrances/exits so everyone will have to use them. Mr. Fitch asked if there were wetlands along the creek. Mr. Hampton said the Army Corp of Engineers does not designate any.

Donald Roth asked about the delivery truck traffic. Mr. Hampton said the trucks will enter from Greenville Highway and exit on White Street. Mr. Roth expressed concern with them turning onto White Street. Mr. Hampton said the exit onto White Street will be much larger and angled better in the new plan. Mr. Roth said people could cut through the parking lot to avoid the traffic light. Mr. Hampton said it is possible. Mike Gilliam commented that traffic backs up along White Street and asked if the City has any plans to widen it up to Kanuga. Ms. Anderson said she did not know of any such plans.

Ms. Hickey commented that while she likes Publix, she has concern with there being too

much commercial in that area adding it isn't what they moved here for. Mr. Finklea said this is land already developed as opposed to going to a lot with trees and such. Mr. Hall said he felt this is making the area more attractive and development is inevitable.

Mr. Fitch asked the area the TIA will look out. Mr. Finklea said Greenville Highway, Spartanburg Highway, White Street, Joel Wright, Copper Penny, East Chadwick and Kanuga. He said they will be looking at am, pm and mid-day trips. He said they will also review pedestrian movement. Mr. Fitch asked if there are any variances requested. Mr. Hampton said not at this time. Mr. Thompson asked about raising the buildings. Mr. Hampton said they will be required to bring it up four to six feet above the current payments. Mr. Thompson asked the height of the building. Mr. Hampton said 24-26 feet depending on the façade they go with.

Mr. Hall asked, if approved, when the project would move forward. Mr. Hampton said if approved in September, after that is a 90-120 day design time, 10-12 months of construction so possibly early to mid-2017 for opening.

With no further comments or questions, Ms. Anderson closed the meeting at 2:35.



Print Form

CITY OF HENDERSONVILLE
DEVELOPMENT ASSISTANCE DEPARTMENT
100 N. King St. ~ Hendersonville, NC ~ 28792
Phone (828) 697-3010 ~ Fax (828) 697-6185
www.cityofhendersonville.org

APPLICATION FOR A VARIANCE WITH SPECIAL USE PERMIT
Section 7-4-14 City Zoning Ordinance

The following are required to constitute a complete application for a variance:

- ~ This form including the property owner(s) signature(s).
- ~ Special Use Permit Application
- ~ Supporting documents, if applicable.
- ~ Photographs, optional.

Date 09/15/2015

Project Name South Market Village

Applicant Halvorsen Development Cooperation

Address 851 South Federal Highway, Ste. 201 Boca Raton, FL 33432

Phone 561-367-9200

Fax 561-367-9887

Email jvincent@halvorsenholdings.com

If different from above:

Property Owner: Name Larry Barber, Gerald W. Rhodes, City of Hendersonville,
Prosouce Land Holdings, LLC, Atha Plaza, INC, Jarel Surrette

Address 601 Greenville Highway

TO THE CITY COUNCIL:

I, Thomas Vincent (OWNER/AGENT), hereby petition the City Council for a variance from the literal provisions of the Zoning Ordinance of the City of Hendersonville.

I request a variance from the following provisions of the ordinance (cite section numbers).

17-3-3 Prohibition Against Development Within the Stream Buffer - The existing developed condition within the 30' and 20' stream buffer are more impactful to the buffer than the proposed condition

Official Use:
DATE RECEIVED: 11-6-2015 BY DTA

FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE (Section 7-4-14):

For applications undergoing special use review, City Council may authorize variances in specific cases from the dimensional and improvements standards of the zoning ordinance upon finding that a literal enforcement of such standards will result in practical difficulty or unnecessary hardship and so long as the granting of such variance or variances will not result in a use or development which would violate the findings of fact required by Section 7-4-10. Variances may not be granted with regard to uses or to intensity.

FINDINGS OF FACT (Section 7-4-10.1) No special use permit shall be approved by City Council unless each of the following findings is made.

The burden of establishing these findings of fact shall lie upon the applicant. In addressing the issue of compatibility, as required, the applicant must demonstrate compatibility with the particular neighborhood in which the development or use is to be located. The fact that a use is authorized as a special use within a zoning district classification shall not give rise to a presumption that such special use is compatible with other uses authorized in the zoning district classification.

(A) The use or development is located, designed and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.

The proposed development is designed to maintain safe site access. The development is designed to promote health of surrounding environmental features by detaining and providing improved water quality. The storm water leaving the site will be cooler, have significantly less pollutants, and be released at a reduced rate compared to the undetained flow that the buffer is currently receiving.

(B) There are, or will be at the time they are required, adequate public facilities to serve the use or development as specified in Section 7-11.

Adequate potable water and wastewater supply are available to support the proposed use based on information produced by utility departments. based upon requirements within the TIA. improvements to the adjacent roadways will be developed to mitigate the impact of the traffic from the development

(C) The use or development complies with all required regulations and standards of the Zoning Ordinance or with variances thereto, if any, granted pursuant to Section 7-4-14, and with all other applicable regulations.

The proposed development complies to all regulations and standards with granted variance to ordinance 17-3-3.

(D) The use or development is located, designed and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located.

The existing uses surrounding the project site consist of grocery stores, convince/drug stores, strip centers, and a gas station. The proposed development is compatible with the existing uses. The grocery store use, surface parking, planting strip, and pedestrian access are all in concert with the surrounding neighborhood and adjacent developments

(E) The use or development conforms with the general plans for the physical development of the City as embodied in this Ordinance and in the 2030 Hendersonville Comprehensive Plan.

This site is located at one of Hendersonville's 8 activity nodes. The development will enhance the streetscape and walkability of the area, and add stormwater BMPs that will reduce the impacts on existing impacted streams.

Signature _____

Special Use Variance Application

Printed Name Thomas Vincent, Halvorsen Development

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CITY OF HENDERSONVILLE
DEVELOPMENT ASSISTANCE DEPARTMENT
100 N. King St. ~ Hendersonville, NC ~ 28792
Phone (828) 697-3010 ~ Fax (828) 697-6185
www.cityofhendersonville.org

Print Form

APPLICATION FOR A VARIANCE WITH SPECIAL USE PERMIT
Section 7-4-14 City Zoning Ordinance

The following are required to constitute a complete application for a variance:

- ~ This form including the property owner(s) signature(s).
- ~ Special Use Permit Application
- ~ Supporting documents, if applicable.
- ~ Photographs, optional.

Date	12/1/2015	Project Name	South Market Village
Applicant			
Halvorsen Development Corporation			
Address			
851 South Federal Highway, Ste. 201 Boca Raton, FL 33432			
Phone	561-367-9200	Fax	561-367-9887
Email	jvincent@halvorsenholdings.com		

If different from above:

Property Owner: Name	Larry Barber, Gerald W. Rhodes, City of Hendersonville, Prosource Land Holdings, LLC, Atha Plaza, INC, Jarel Surrette
Address	601 Greenville Highway

TO THE CITY COUNCIL:

I, Thomas Vincent (OWNER/AGENT), hereby petition the City Council for a variance from the literal provisions of the Zoning Ordinance of the City of Hendersonville.

I request a variance from the following provisions of the ordinance (cite section numbers).

15-6-3 Bufferyard Requirements
15-9b Perimeter Planting Strips

Official Use:
DATE RECEIVED: 12-2-15 BY TTH

FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE (Section 7-4-14):

For applications undergoing special use review, City Council may authorize variances in specific cases from the dimensional and improvements standards of the zoning ordinance upon finding that a literal enforcement of such standards will result in practical difficulty or unnecessary hardship and so long as the granting of such variance or variances will not result in a use or development which would violate the findings of fact required by Section 7-4-10. Variances may not be granted with regard to uses or to intensity.

FINDINGS OF FACT (Section 7-4-10.1) No special use permit shall be approved by City Council unless each of the following findings is made.

The burden of establishing these findings of fact shall lie upon the applicant. In addressing the issue of compatibility, as required, the applicant must demonstrate compatibility with the particular neighborhood in which the development or use is to be located. The fact that a use is authorized as a special use within a zoning district classification shall not give rise to a presumption that such special use is compatible with other uses authorized in the zoning district classification.

(A) The use or development is located, designed and proposed to be operated so as to maintain or promote the public health, safety, and general welfare.

The proposed development is designed to maintain safe site access. The development is designed to promote health of surrounding environmental features by improving the quality of the existing riparian buffer adjacent to Mud Creek and providing additional planting areas with a cumulative total exceeding the code required buffer area.

(B) There are, or will be at the time they are required, adequate public facilities to serve the use or development as specified in Section 7-11.

Adequate potable water and wastewater supply are available to support the proposed use. The adjacent public road systems have proposed improvements to help with traffic flow. Adjacent roads have adequate capacity for proposed use with proposed improvements.

(C) The use or development complies with all required regulations and standards of the Zoning Ordinance or with variances thereto, if any, granted pursuant to Section 7-4-14, and with all other applicable regulations.

The proposed development complies to all regulations and standards with granted variance to ordinance 15-6-3 and 15-9b.

(D) The use or development is located, designed and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located.

The existing uses surrounding the project site consist of grocery stores, convince/drug stores, strip centers, and a gas station. The proposed development is compatible with the existing uses.

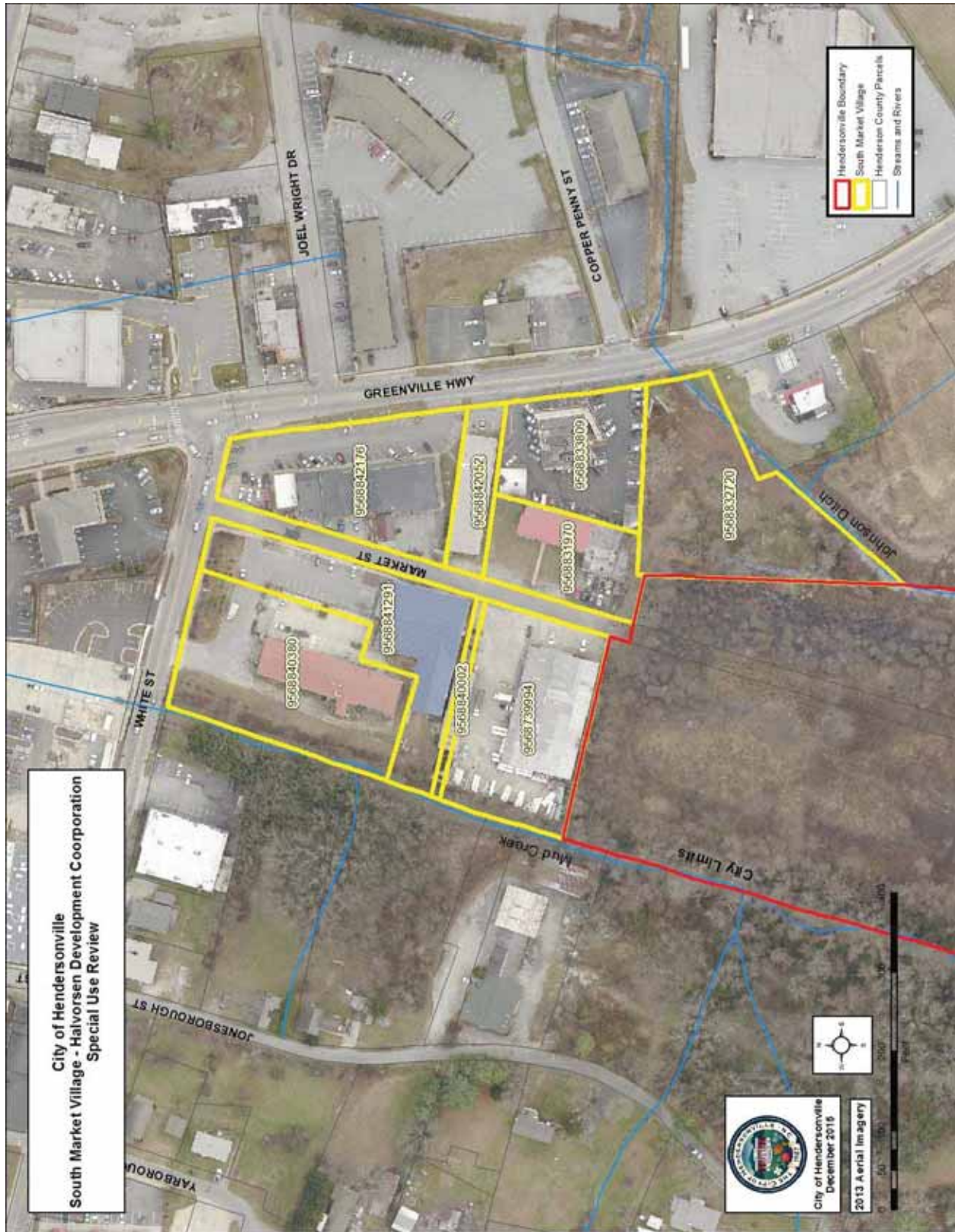
(E) The use or development conforms with the general plans for the physical development of the City as embodied in this Ordinance and in the 2030 Hendersonville Comprehensive Plan.

This site is located at one of Hendersonville's 8 activity nodes. The development will enhance the streetscape and walkability of the area, and added landscaping will improve the quality of the existing riparian buffer and provide planting areas in excess of the code requirement.

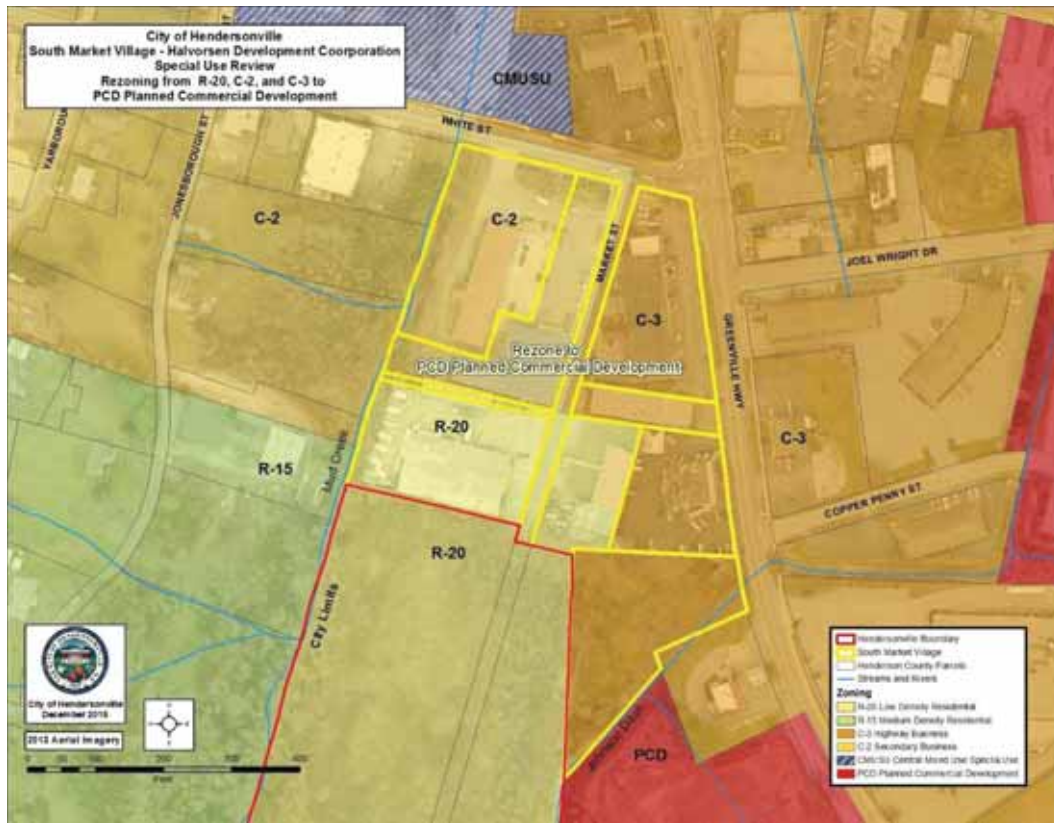
Signature _____
Special Use Variance Application

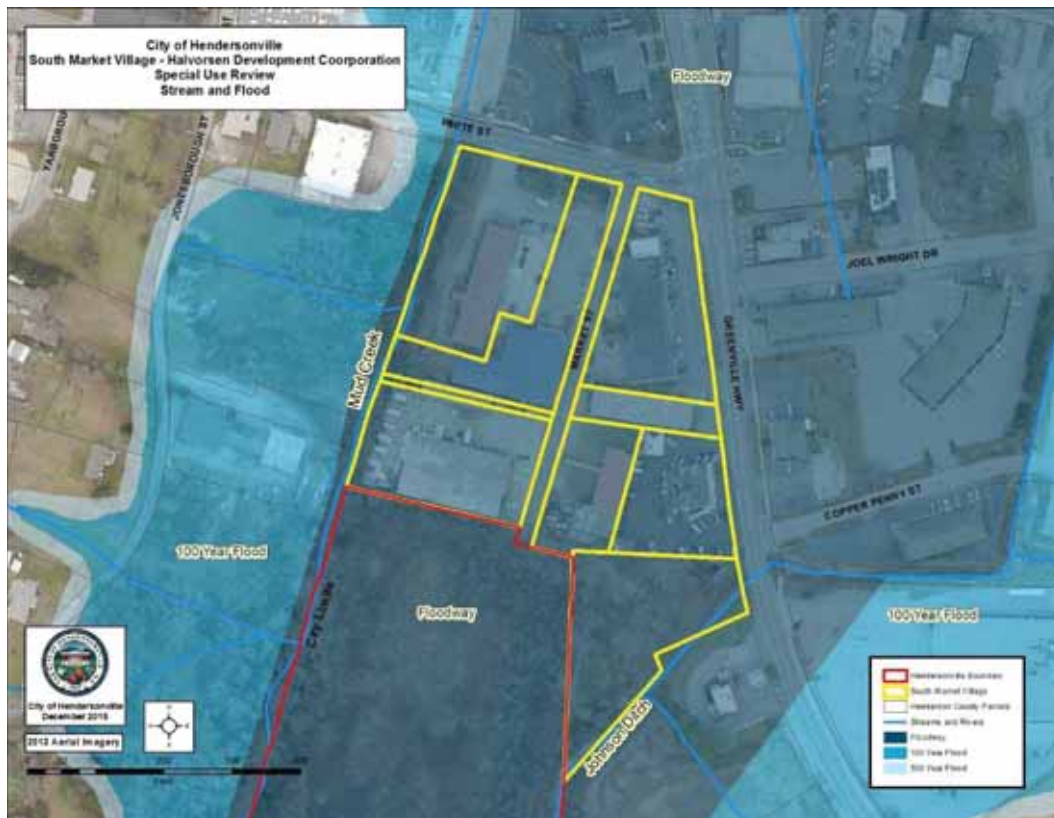
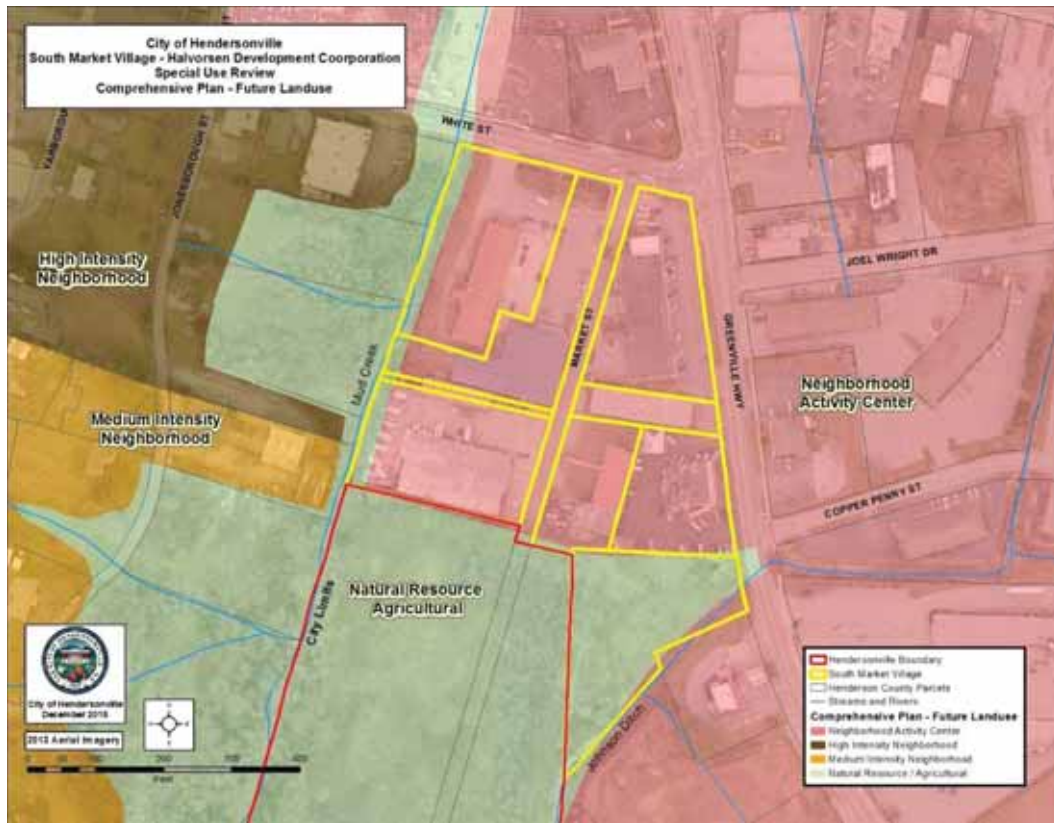
Printed Name Thomas Vincent, Halvorsen Development
Page 2 of 2

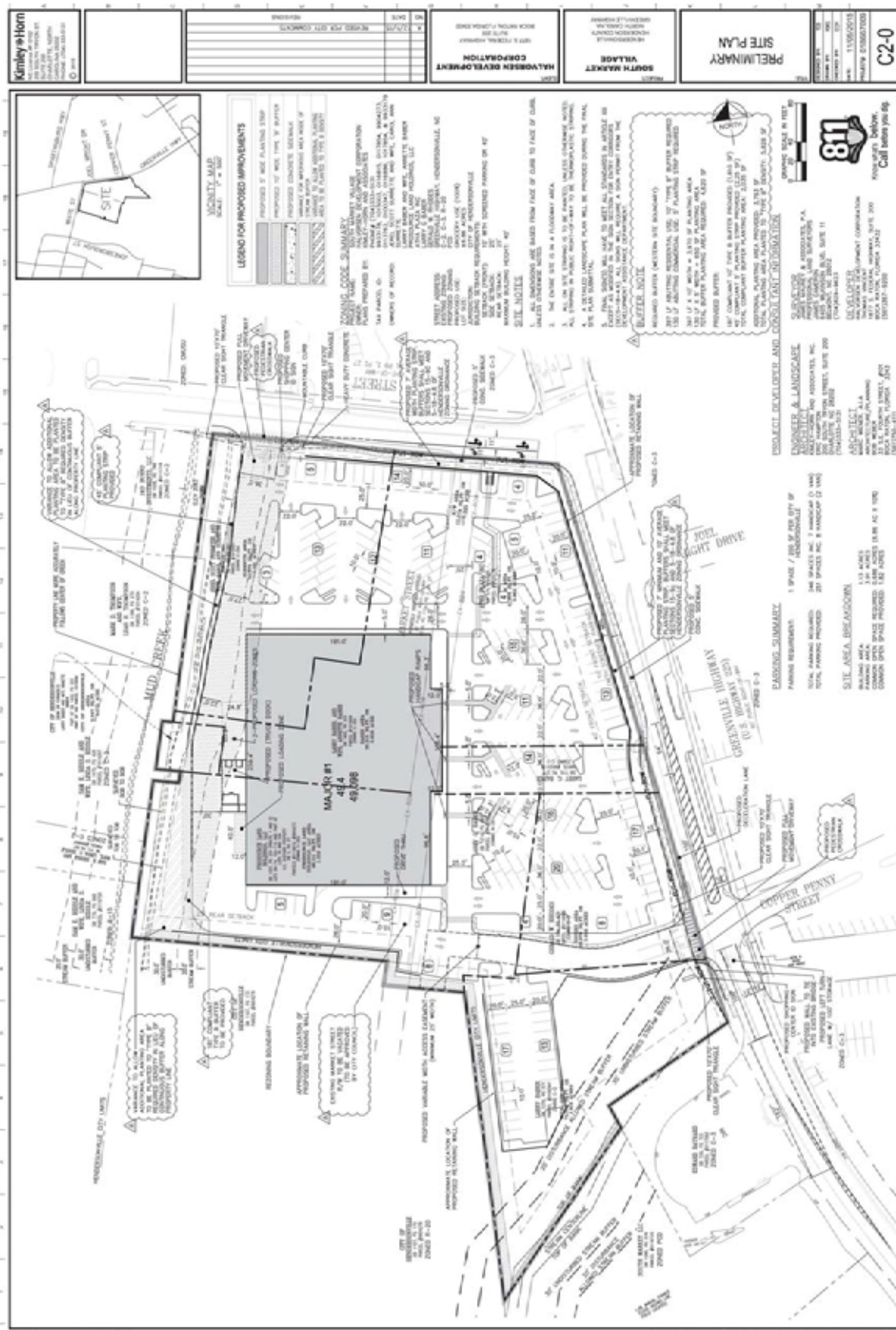
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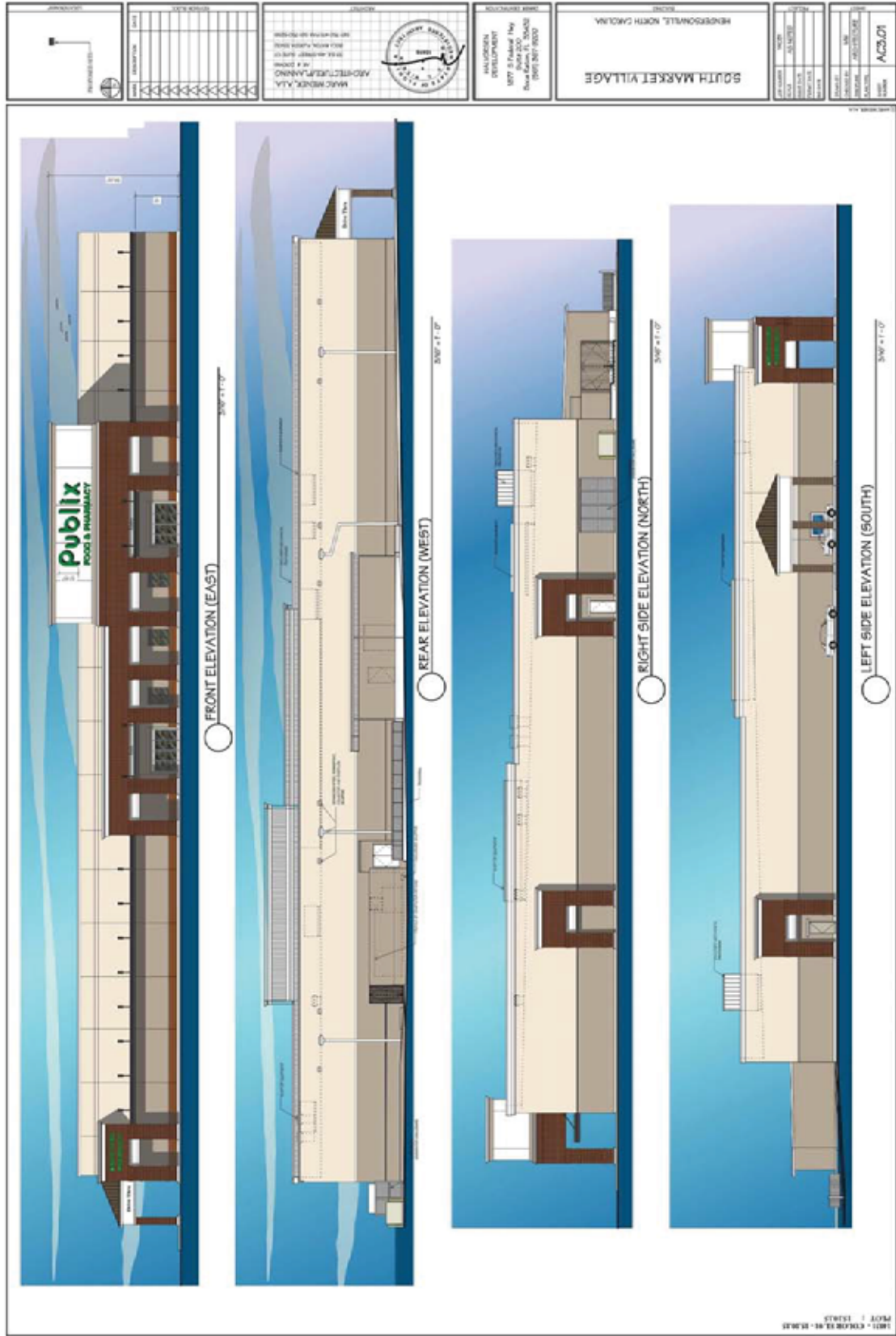
CITY COUNCIL
SOUTH MARKET VILLAGE
JANUARY 7, 2016
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h to Agenda





APPEAL OF DEVELOPMENT DECISIONS

Section 7-13 of the Zoning Ordinance outlines the process for appeal of development decisions by City Council. The following Sections of the Zoning Ordinance apply specifically to Special Use Review:

Section 7-13-2 (b): Preliminary site plans. Decisions of the City Council regarding appeals from development decisions concerning applications for preliminary site plan approval may be appealed to the Superior Court by any aggrieved party. Such appeals shall be in the nature of certiorari and must be filed within 30 days after the filing of the decision in the office of the City Clerk or after a written copy thereof is delivered to every aggrieved party who has filed a written request for such copy with the Clerk at the time of the hearing, whichever is later. The copy of the decision of the Council may be delivered to aggrieved parties either by personal service for by registered mail or certified mail return receipt requested.

Section 7-13-2 (d): Special use review. Judicial review of decisions regarding applications processed under the provisions of special use review, established in Section 7-4, above, require special treatment due to the fact that they involve two separate applications which, though processed simultaneously, require Council to make two separate decisions exercising two different types of decision-making authority. One application requests enactment of an ordinance amending the Official Zoning Map, and the other requests issuance of a special use permit. The first application involves a legislative decision on the part of Council, and the second a quasi-judicial decision. The quasi-judicial decision, that is, the one concerning the application for a special use permit, may be appealed to the Superior Court by any aggrieved party in the manner prescribed in paragraph b), above. Such appeal shall be in the nature of certiorari. The legislative decision, which is the one concerning the request for rezoning, may be contested, in accordance with NCGS Section 160A-364.1, by a cause of action commenced within two months of the date of the decision.

The validity of the ordinance may be challenged in accordance with North Carolina General Statute Section 160A-364.1.

§ 160A-364.1. Statute of limitations.

A cause of action as to the validity of any zoning ordinance, or amendment thereto, adopted under this Article or other applicable law shall accrue upon adoption of the ordinance, or amendment thereto, and shall be brought within two months as provided in G.S. 1-54.1. (1981, c. 891, s. 3; 1995 (Reg. Sess., 1996), c. 746, s. 7.)

City of Hendersonville

PLANNING BOARD REPORT

Project Name: Application for Issuance of a Special Use Permit
Halvorsen Development

File Number: P15-16-SUR

Variance Request #1

☒ Approval – Recommend City Council approve a variance from Zoning Ordinance Section 17-3-3, to allow the proposed building and asphalt vehicular use area in the required stream transition zone and a wall and asphalt vehicular use area in the required stream buffer as shown on the Preliminary Site Plan.

☐ Denial – Recommend City Council not approve a variance from Zoning Ordinance Section 17-3-3, to allow the proposed building and asphalt vehicular use area in the required stream transition zone and a wall and asphalt vehicular use area in the required stream buffer as shown on the Preliminary Site Plan.

Variance Request #2

☒ Approval – Recommend City Council approve a variance from Zoning Ordinance Section 15-6 and 15-9b, to relocate a portion of the required buffer plantings along the western property line to an area located in the southwestern corner of the property as shown on the Preliminary Site Plan.

☐ Denial – Recommend City Council not approve a variance from Zoning Ordinance Section 15-6 and 15-9b, to relocate a portion of the required buffer plantings along the western property line to an area located in the southwestern corner of the property as shown on the Preliminary Site Plan.

Special Use Permit

☒ Approval – The application is consistent with all of the objectives and policies for growth and development contained in the City of Hendersonville's Zoning Ordinance, 2030 Comprehensive Plan and Comprehensive Transportation Plan.

☐ Approval With Conditions – The application is not fully consistent with all of the objectives and policies for growth and development of the City of Hendersonville's Zoning Ordinance, 2030 Comprehensive Plan and Comprehensive Transportation Plan, so the following conditions are recommended in order to make it fully consistent.

☐ Denial – The application is not consistent with all of the objectives and policies for growth and development of the City of Hendersonville's Zoning Ordinance, 2030 Comprehensive Plan and Comprehensive Transportation Plan.

This report reflects the recommendation of the Planning Board, this the

14th day of December

2015

Attest:

Planning Board Chair


Planning Director



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Sue Anderson, Planning Director

Department: Development Asst Dept

Date Submitted: December 22, 2015

Presenter: Sue Anderson

Date of Council Meeting to consider this item: January 7, 2016

Nature of Item: Council Action

Summary of Information/Request:

Item # 09

File # P15-4-M

The City of Hendersonville has received a \$35,000 NCDOT Bicycle Planning Grant and City Council has budgeted \$5,000 toward the match for the grant. Blue Ridge Bicycle Club will be donating \$10,000 towards the City's required 30% match. Total amount for the study is \$50,000.

On November 5, 2015, City Council appointed a three member Selection Committee to review the six consultant proposals received. The Selection Committee members include Councilman Jerry Smith, Assistant to the City Manager Brian Pahle and Blue Ridge Bicycle Club President Joe Sanders. Proposals were received from Alta Planning & Design, J. M. Teague Engineering & Planning, Kimley-Horn, Nelson Nygaard, Stewart and Toole Design Group.

On December 1, 2015, the Selection Committee met to review the proposals. The Selection Committee decided to interview the top three consultants which included Alta Planning & Design, J. M Teague Engineering and Planning and Kimley-Horn. J. M. Teague was interviewed on December 15th and Alta Planning & Design and Kimley-Horn were interviewed on December 21st. After some discussion, the Selection Committee unanimously recommended that City Council select Kimley-Horn to complete the Hendersonville Bicycle Plan.

Budget Impact: \$ 5,000 Is this expenditure approved in the current fiscal year budget? ☒ Yes If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move City Council to direct staff to enter into a contract with Kimley-Horn to complete a Bicycle Plan for the City of Hendersonville for an amount not to exceed \$50,000.

Attachments:

Proposal



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Submitted to:



HENDERSONVILLE
NORTH CAROLINA

October 2015

Comprehensive Bicycle Plan

Submitted by:

Kimley»Horn





Comprehensive Bicycle Plan

Sue Anderson, Planning Director
City of Hendersonville
Development Assistance Department
100 North King Street
Hendersonville, NC 28792

Kimley-Horn
3001 Weston Parkway
Cary, NC 27513
 919 677 2000

RE: Comprehensive Bicycle Plan Request for Proposals for Planning Services

Dear Ms. Anderson and Members of the Selection Committee:

The North Carolina Department of Transportation (NCDOT) awarded the City of Hendersonville a Bicycle and Pedestrian Planning Grant—one of only 10 grants awarded this year to communities across the state. Kimley-Horn admires the City's initiative in pursuing this grant and additional funding. Contributions from the City and the Blue Ridge Bicycle Club highlight how much the community values bicycle planning in Hendersonville. We have enjoyed serving the City for the past 14 years and are excited about this opportunity to improve Hendersonville's bikability. As you review our proposal, please consider the following benefits the Kimley-Horn team offers you:

- **A comprehensive team of mobility planners, designers, and engineers—providing you with a seamless process and a feasible plan.** We understand that facility recommendations must fit into the local context; implementation is a major priority in our planning process. Lines on a map have value only if they represent improvements that are ultimately feasible. We currently are designing on-street bikeways and off-street multiuse paths in North Carolina and nationwide. We understand the constraints of the existing built environment and deliver creative solutions to overcome them.
- **Local knowledge backed by national experts—providing you with the best resources possible.** We have provided transportation mobility services to the City of Hendersonville since 2001. What you may not know is that Kimley-Horn is nationally renowned for its contributions to the development of context sensitive design solutions and bicycle design guidelines. We were the primary authors of the ITE/CNU *Context Sensitive Design Solutions Manual* and our award-winning work in Hendersonville, TN won acclaim by being included as a case study in the American Planning Association's *Complete Streets* guidance. Our team is recognized for planning excellence at every scale—from Washington, D.C.'s Mobility Plan to Austin, Texas' Complete Street strategy to the Mobility Plan for Asheville and Hendersonville's own pedestrian master plan. With our combination of guidance document development and extensive background in local, regional, and state bicycle and pedestrian planning, we will tailor recommendations to meet your needs.
- **Project management focused on stakeholder partnership—providing you with the ideal plan.** We are not looking to only work *for*; we desire to work *with*. We plan to empower the steering committee and the community to take ownership of the Comprehensive Bicycle Plan, asking the steering committee to partner with us to create a plan that sets the stage for greater bikability in Hendersonville. Everyone has skin in the game—the City, NCDOT, and Blue Ridge Bicycle Club as well as residents and visitors. We intend to not only be good stewards of your resources, but also to leverage opportunities to stretch our work plan to exceed requirements and provide as much value as possible.

We look forward to continuing our partnership with the City of Hendersonville and investing in improved mobility, safety, and accessibility for current and future cyclists of all skill levels. Thank for your consideration of our proposal.

Sincerely,

Stephen Stansbery, AICP
Project Director
704 319 5690
stephen.stansbery@kimley-horn.com

Trung Vo, P.E.
Project Manager
919 653 2968
trung.vo@kimley-horn.com



Comprehensive Bicycle Plan

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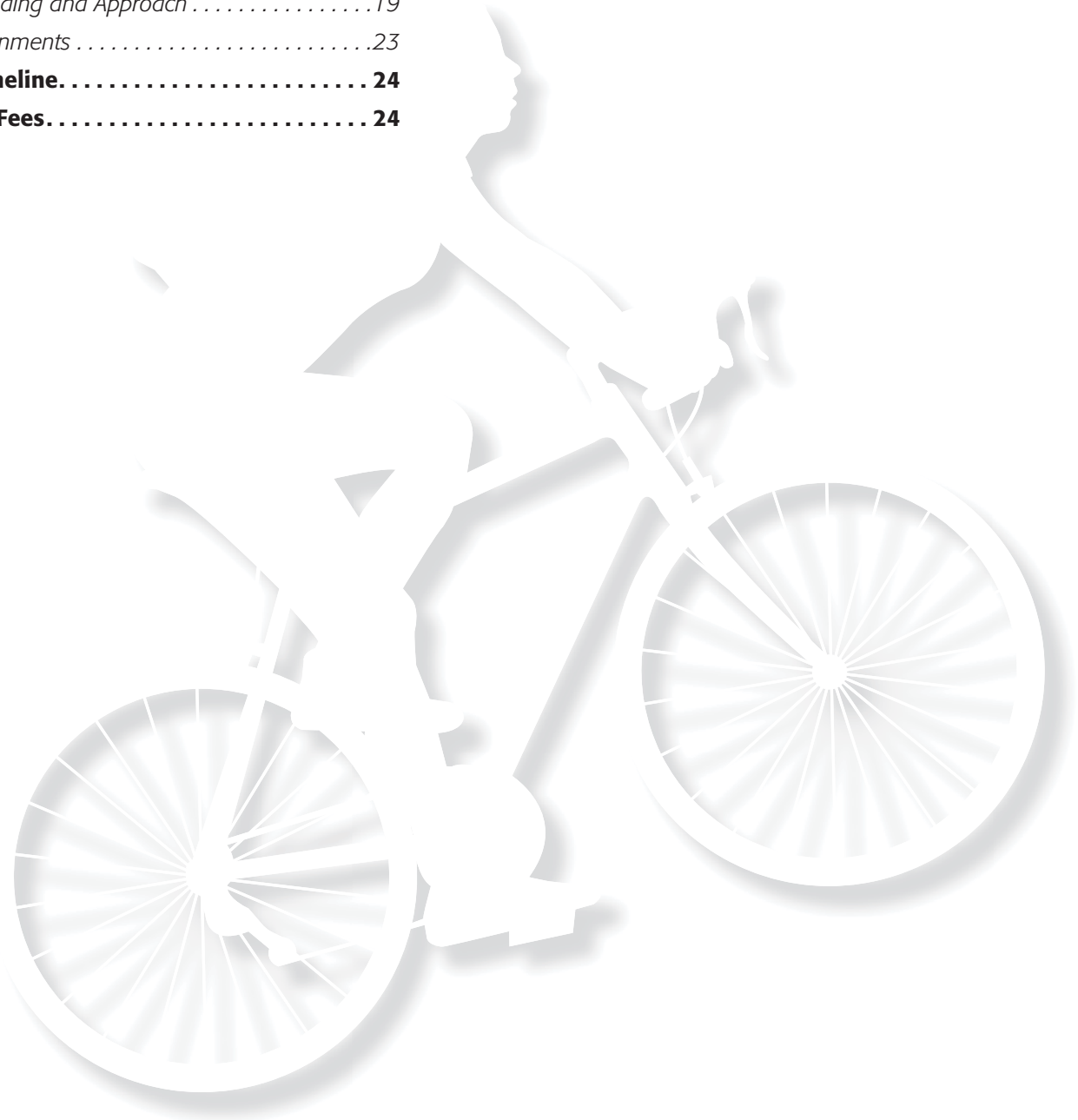
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Comprehensive Bicycle Plan

Personnel

Kimley-Horn will serve as the prime firm for this project and the effort will be led from our Cary headquarters with support from Charlotte and additional national resources (as needed). Kostelec Planning will support the public engagement and recommendations development services for this contract. Contact information for both firms is included below, as requested in the RFP.

Kimley-Horn

-  3001 Weston Parkway
Cary, NC 27513
-  Trung Vo, P.E.
-  919 653 2968
-  trung.vo@kimley-horn.com
-  www.kimley-horn.com

Kostelec Planning

-  P.O. Box 16796
Asheville, NC 28816
-  Don Kostelec, AICP
-  828 989 5811
-  don@kostelecplanning.com
-  www.kostelecplanning.com

General Profile and Qualifications

Firm Profiles

KIMLEY-HORN

Kimley-Horn was founded in 1967 by transportation planners and traffic engineers in Raleigh. Today, Kimley-Horn is a full-service engineering, planning, and environmental consulting firm with more than 2,500 employees in 80+ offices nationwide, including our 146-person headquarters office in Raleigh and our 65-person office in Charlotte.

Kimley-Horn's Active Mobility Studio consists of planners, engineers, designers, and economists dedicated to shining a spotlight on walking and cycling as viable, healthy, and convenient ways to get from point A to point B. Our team has been working on sidewalk, bikeway, and greenway projects within the state of North Carolina for the past 14 years. Kimley-Horn, with the City of Hendersonville, will develop a comprehensive bicycle plan that integrates planning and engineering principles while considering the specific needs of your community.



KOSTELEK PLANNING

Our project team includes planning support from Kostelec Planning, led by **Don Kostelec, AICP**. Kostelec Planning believes that communities and economies thrive when they link health to the built environment decisions. Based in Asheville, Kostelec Planning teams with national partners and local collaborators to develop and design award-winning planning solutions to support healthy and sustainable communities.

With international expertise and localized passion, Principal **Don Kostelec, AICP** has managed several award-winning planning, health, and transportation projects. Kostelec Planning specializes in customized pedestrian and bicycle planning, health and planning integration, health impact assessment (HIA), transportation planning, HIA training and complete streets.

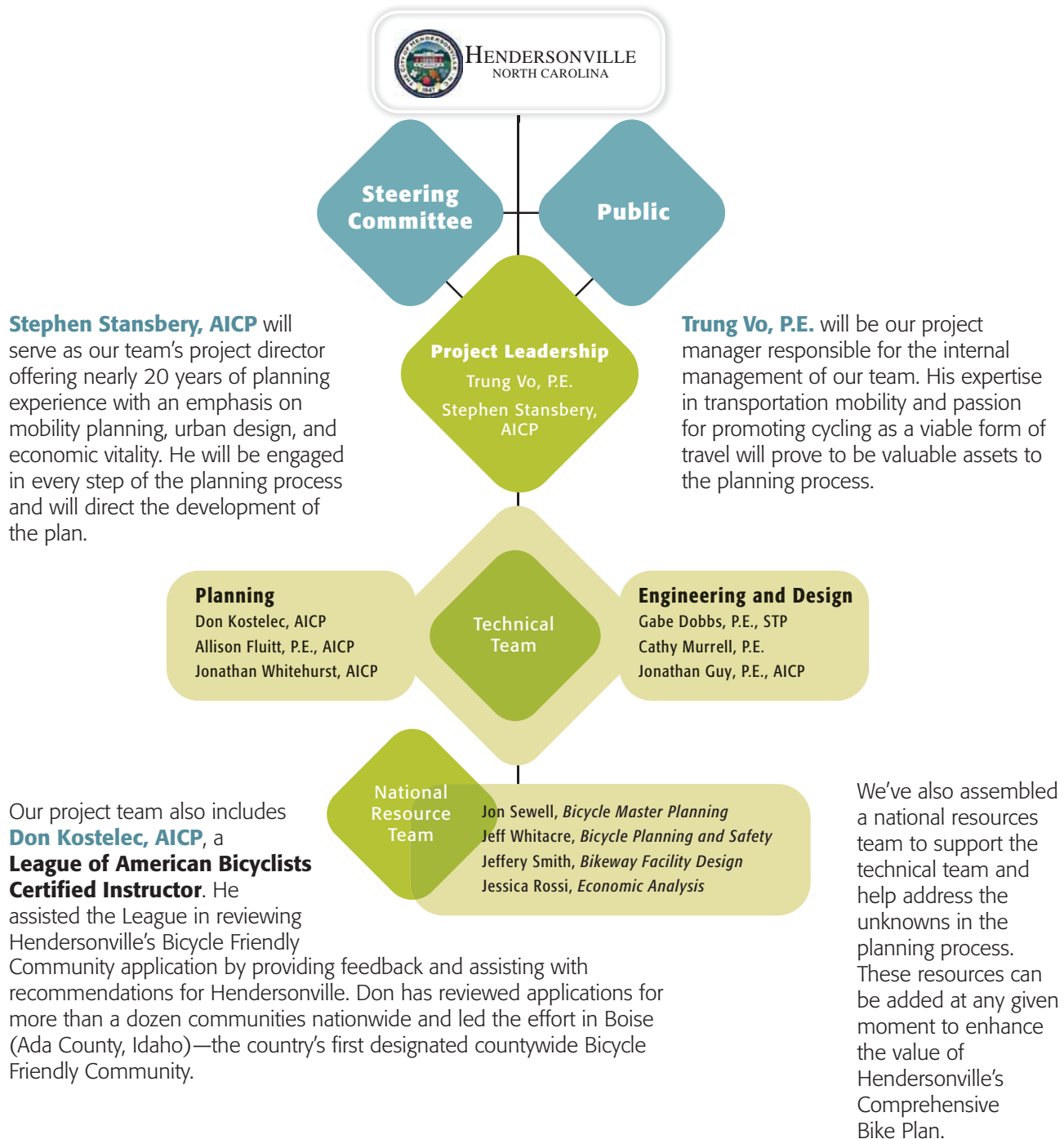




Comprehensive Bicycle Plan

Project Organization and Leadership

The Kimley-Horn team is supported through experienced leadership. As described below, we offer you a tandem approach to project leadership to enhance our focus and accessibility throughout the process. This approach has proven successful on several projects like yours. We've intentionally paired a certified planner with a licensed engineer to provide balance within the project leadership. Combined, these two mobility experts have partnered to develop several transportation plans ranging from small towns and cities to regions and state DOTs. Both have served in leadership capacities on our Asheville in Motion, moveDC, and Tallahassee mobility plans. Furthermore, our technical team consists of planners and engineers who are experts in planning for active transportation within North Carolina.





Comprehensive Bicycle Plan

Key Team Member Qualifications



Trung Vo, P.E.

Project Manager

PROFESSIONAL CREDENTIALS

Master of Science, Civil Engineering, Georgia Institute of Technology, 2011

Bachelor of Science, Civil Engineering, Georgia Institute of Technology, 2009

Professional Engineer in North Carolina

PROFESSIONAL AFFILIATIONS

Association of Pedestrian and Bicycle Professionals

Institute of Transportation Engineers

Trung specializes in mobility planning, traffic operations, and public outreach. His personal and professional passion is planning for and promoting active transportation, whether it be as part of a regional transportation plan or developing a strategy to educate and equip young cyclists to ride safely in his home community. Trung has played major roles in the bicycle planning elements in long range transportation plans (LRTPs) within North Carolina and across the nation. He also is experienced in using traditional and innovative techniques to empower communities to engage with local efforts to improve transportation.

RELEVANT EXPERIENCE

Trung served as *project manager* or *engineer* on the following projects:

- Asheville Mobility Plan, NC
- Downtown Greenway Phase 4 and Atlantic & Yadkin Greenway Planning Study, Greensboro, NC
- Comprehensive Wayfinding Plan for Parks and Greenways, Wake Forest, NC
- Bicycle Facilities Plan and Downtown Circulation and Mobility Plan, Knoxville, TN
- Comprehensive Pedestrian Transportation Plan, Southport, NC
- Capital Regional Transportation Planning Agency (CRTPA), Connections 2040 Regional Mobility Plan, Tallahassee, FL
- Blacksburg Transit Bus Stop Safety and Accessibility Study, Blacksburg, VA
» *Presented at 2015 North Carolina Bike Summit in Charlotte, NC*
- Surface Deployment and Distribution Command (SDDC) Transportation Engineering Agency (TEA), Pedestrian and Bicycle Safety Study for Camp Lejeune, Jacksonville, NC
- Boyd and Greenup Counties Non-Motorized Transportation Plan, KY
- Sneads Ferry Community Plan, Sneads Ferry, NC
- North Main Street Road Diet Study, High Point, NC
- Downtown Transportation Study, Holly Springs, NC
- moveDC Multimodal Long Range Transportation Plan, Washington, D.C.
- Southeast Area Study, Johnston and Wake Counties, NC
- Lowcountry Area Transportation Study 2040 Long Range Transportation Plan, SC
- Jacksonville Urban Area Metropolitan Planning Organization 2040 Long Range Transportation Plan, NC





Comprehensive Bicycle Plan



Stephen Stansbery, AICP

Project Director

PROFESSIONAL CREDENTIALS

Master of City and Regional Planning, Ohio State University, 1995

Bachelor of Science, Physical Geography, Florida State University, 1993

American Institute of Certified Planners

PROFESSIONAL AFFILIATIONS

American Planning Association
Congress for the New Urbanism

Stephen has a broad range of experience as a transportation planner and urban designer. He has 21 years of professional transportation planning, land planning, and urban design experience. Stephen's emphasis has been on the development of sustainable transportation solutions that recognize the inherent relationship between land use and transportation. His planning philosophy is one that seeks balance between competing interests, with a fundamental understanding of each corridor's place in the larger transportation system. Stephen has a passion for urban environments and has worked on projects that seek to promote smart growth, infill development, and walkable communities. Most notably, Stephen has a breadth of experience creating systems level transportation plans as well as corridor-specific plans with multimodal interests.

RELEVANT EXPERIENCE

Stephen served as *project director*, *manager*, or *planner* on the following projects:

- Asheville Mobility Plan, NC
- moveDC Multimodal Long Range Transportation Plan, Washington, D.C.
- Pedestrian Master Plan, Charlotte, NC
- Pedestrian Plan, Hendersonville, NC
- Comprehensive Pedestrian Transportation Plan, Southport, NC
- Bicycle Facilities Plan and Downtown Circulation and Mobility Plan, Knoxville, TN
- Comprehensive Pedestrian Plan, Mount Airy, NC
- Comprehensive Pedestrian Plan, Cornelius, NC
- Capital Area Metropolitan Planning Organization (CAMPO), Southwest Area Study, Raleigh, NC
- Bicycle and Pedestrian On-Call Services and Comprehensive Transportation Plan, Clemmons, NC
- 2035 Goldsboro Urban Area Long Range Transportation Plan Update and Comprehensive Transportation Plan, Goldsboro, NC
- Transportation and Land Use Plan, Hendersonville, TN
- Community Master Plan, Greer, SC
- Transportation Plan, Wake County, NC
- CAMPO, NC 50 Corridor Study, Raleigh, NC
- Concord Avenue Area Master Plan, Monroe, NC





Comprehensive Bicycle Plan



Don Kostelec, AICP

Planning



PROFESSIONAL CREDENTIALS

Master of Urban Planning and Policy, University of Illinois at Chicago, 2001

Bachelor of Science, Political Science and Journalism, Western Carolina University, 1999

League of American Bicyclists Certified Cycling Instructor

Don is a transportation planner based in Asheville and owner of Kostelec Planning, LLC. Over the past 13 years, he has managed several active transportation plans in North Carolina, Tennessee, and Idaho and serves as a technical resource on transportation planning to North Carolina DOT, the Safe Routes to School National Partnership, BikeWalk NC, and Transportation Research Board. Don is a veteran of more than 50 active transportation planning efforts for towns, nonprofits, Metropolitan Planning Organizations, cities, and DOTs.

Don lives what he plans for as he rides his bicycle more than 1,000 miles every year and conducts most of his planning work from the saddle. His work has led to nationwide recognition from Federal Highway Administration and in 2015 Don led a national training program for EPA's Sustainable Community Building Blocks Program to build capacity for Bikeshare Planning.

Don is a League of American Bicyclists Certified Cycling Instructor and reviews the League's Bicycle-Friendly Community and Bicycle-Friendly Business applications.

Prior to forming Kostelec Planning, Don worked for two international consulting firms as a Senior Transportation Planner and Project Manager. With that, he has 13 years of professional experience in planning and policy development earned in his role as Planning and Programming Manager for the Ada County Highway District—a regional transportation agency in Boise, Idaho; and service planner for the Chicago Transit Authority.

RELEVANT EXPERIENCE

Don served as *project* or *task manager* analyst on the following projects:

- Black Mountain By Bike, NC
- Bicycle Tourism Study, Western NC and Haywood County
- EPA Building Blocks Training for Bikeshare Planning
- Greenways & Trails Master Plan, Buncombe County, NC
- Comprehensive Bicycle Plan, Haywood County, NC
- Blue Ridge Bike Plan
- Mills River 280 Bicycle Corridor Study, NC
- Southwestern Commission Regional Trails Plan
- Comprehensive Bicycle Plan, Pinehurst, NC
- Blue Cross Foundation of Idaho Complete Streets Policy Assessment
- North Main Street Complete Streets Study, Waynesville, NC





Comprehensive Bicycle Plan



Gabriel Dobbs, P.E., STP

Engineering and Design

PROFESSIONAL CREDENTIALS

Master of Science,
Transportation, Clemson
University, 2009

Bachelor of Science, Civil
Engineering, Clemson
University, 2008

Professional Engineer in
North Carolina

Greenroads Sustainable
Transportation Professional

PROFESSIONAL AFFILIATIONS

American Society of
Civil Engineers

Institute of
Transportation Engineers

Gabe Dobbs offers 5 years of engineering experience working on projects for both public and private clients, such as various departments within municipalities including City of Charlotte Engineering and Property Management, City of Concord Engineering, and Town of Matthews Public Works; various departments of transportation (NC, SC, GA, and Charlotte); Mecklenburg County; and UNC Charlotte. Gabe provides expertise in preliminary planning, design engineering, real estate impacts, and property owner coordination as well as a depth of experience in contract and bid proposal preparation, bidding services, and construction administration on NCDOT projects and Mecklenburg County Greenway projects. Gabe is known for his ability to quickly turn around high-quality plans for bidding and construction.

RELEVANT EXPERIENCE

Gabe served as *project engineer* or *analyst* on the following projects:

- Mecklenburg County, Barton Creek Greenway—University Area, Charlotte, NC
- Statesville Greenway, NC
- Mecklenburg County, Little Sugar Creek Greenway South—President James K. Polk State Historic Site to NC/SC State Line, Charlotte, NC
- McDowell Creek Greenway, Mecklenburg County, NC
- Cross-Charlotte Trail, various segments, NC
- U-4713B, Campus Ridge Road Realignment (Campus Ridge Road and East John Street), Matthews, NC
- UNC Charlotte, Campus Infrastructure Design, including Toby Creek Greenway, Charlotte, NC
- C-4918B CMAQ (NC Hwy 3 and US Hwy 601), Concord, NC





Comprehensive Bicycle Plan



Allison Fluitt, P.E., AICP Planning

PROFESSIONAL CREDENTIALS

Master of Science, Civil Engineering, University of Texas, Austin, 2003

Bachelor of Science, Civil Engineering, University of Tennessee, 2002

Professional Engineer in North Carolina

American Institute of Certified Planners

PROFESSIONAL AFFILIATIONS

Association of Pedestrian and Bicycle Professionals

American Planning Association

Institute of Transportation Engineers

With 11 years of bicycle and pedestrian planning Allison has participated and led bicycle and pedestrian projects at the regional, municipal and small area, and corridor levels and is a member of the Association of Pedestrian and Bicycle Professionals. Her experience ranges from conceptual planning through project implementation and construction. Allison has led and participated in numerous public outreach efforts, including bicycle rodeos and rideabouts, charrettes, workshops, stakeholder groups, and committee meetings. In addition to her specific bicycle and pedestrian experience, Allison is adept at financial planning for multimodal efforts, and is a trained specialist in air quality conformity and analysis.

RELEVANT EXPERIENCE

Allison served as *project manager, engineer, or planner* on the following projects:

- Asheville Mobility Plan, NC
- CAMPO, Southwest Area Study, Raleigh, NC
- Pedestrian Plan, Hendersonville, NC
- Albemarle Regional Bicycle Plan, Hertford, NC
- SDDC TEA, Pedestrian and Bicycle Safety Study for Camp Lejeune, Jacksonville, NC
- Bicycle Facilities Plan and Downtown Circulation and Mobility Plan, Knoxville, TN
- Bicycle, Pedestrian, and Greenway Plan, Goldsboro, NC
- Comprehensive Bicycle Plan, Rocky Mount, NC
- Bicycle and Pedestrian Master Plan, Greenville, NC
- Planning and Design for Bicycle and Pedestrian Facilities on Old Durham/Chapel Hill Road, Durham, NC
- Comprehensive Bicycle Plan, Morehead City, NC
- Bicycle and Pedestrian On-Call Services and Comprehensive Transportation Plan, Clemmons, NC
- Comprehensive Bicycle Plan, New Bern, NC
- Comprehensive Bike Plan, Clayton, NC
- Hal Greer Boulevard Bicycle and Pedestrian Safety Study, Huntington, WV
- Comprehensive Pedestrian Plan, Mount Airy, NC
- Comprehensive Pedestrian Plan, Cornelius, NC
- Comprehensive Pedestrian Transportation Plan, Southport, NC





Comprehensive Bicycle Plan



Jonathan Whitehurst, AICP Planning

PROFESSIONAL CREDENTIALS

Master of Urban and Environmental Planning, University of Virginia, 2006

Bachelor of Arts, Journalism and Mass Communication, University of North Carolina, Chapel Hill, 2001

American Institute of Certified Planners

PROFESSIONAL AFFILIATIONS

American Planning Association

Jonathan is a professional planner with applied knowledge in coordinating land use and transportation for area plans and corridor studies. He has led or contributed to comprehensive plans, community master plans, small area plans, regional visioning exercises, corridor studies, and mobility plans. Jonathan regularly partners with communities throughout the Southeast and beyond to reinforce livability and mobility through thoughtful decisions based on local context. Jonathan routinely plans and facilitates innovative community engagement processes that yield actionable data.

RELEVANT EXPERIENCE

Jonathan served as *project planner* on the following projects:

- Asheville Mobility Plan, NC
- Albemarle Regional Bicycle Plan, Hertford, NC
- Pedestrian Plan, Hendersonville, NC
- Comprehensive Pedestrian Transportation Plan, Southport, NC
- Bicycle and Pedestrian Master Plan, Greenville, NC
- Comprehensive Pedestrian Plan, Mount Airy, NC
- Bicycle and Pedestrian On-Call Services and Comprehensive Transportation Plan, Clemmons, NC
- SDDC TEA, Pedestrian and Bicycle Safety Study for Camp Lejeune, Jacksonville, NC
- CAMPO, Southwest Area Study, Raleigh, NC
- Community Service Transportation Plan, Dare County, NC
- US 441 Small Area Plan, Sylva, NC
- Transportation and Land Use Plan, Hendersonville, TN
- Bicycle, Pedestrian, and Greenway Plan, Goldsboro, NC
- Ephesus Church Road/Fordham Boulevard Small Area Planning/Traffic Analysis, Chapel Hill, NC
- Forward Monroe, Land Use and Transportation Plan, NC
- Map for Mobile Comprehensive Plan, Mobile, AL
- Community Master Plan, Greer, SC
- Northern Lancaster County Area Plan, Lancaster County, SC
- Sneads Ferry Community Plan, Jacksonville, NC





Comprehensive Bicycle Plan



Catherine Murrell, P.E.

Engineering and Design

PROFESSIONAL CREDENTIALS

Bachelor of Science, Civil Engineering, University of Florida, 2007

Professional Engineer in North Carolina

NCDOT Level III Erosion and Sediment Control Designer

PROFESSIONAL AFFILIATIONS

American Society of Civil Engineers

American Society of Highway Engineers

Cathy brings 8 years of design and engineering experience working for municipalities, NCDOT, SCDOT, and private developers. She has been the project engineer or manager on over a dozen federally-funded greenway and sidewalk projects. Cathy works closely with her teammates to ensure high-quality products for all her clients. Cathy also has designed roadway widenings, bridge replacements, and streetscapes. Elements of this work experience include horizontal and vertical geometry design, permitting, erosion and sediment control design, drainage design, ADA design requirements, pavement marking and signing design, and project bid documents.

RELEVANT EXPERIENCE

Cathy served as *project manager* or *engineer* on the following projects:

- Greensboro Downtown Greenway, Phase 4 and Atlantic & Yadkin Greenway, Greensboro, NC
- White Oak Creek Greenway, Cary, NC
- C-5164, Smith and Sanford Creek Greenway, Wake Forest, NC
- EB-4996, Green Mill Run Greenway, Phase 2, Greenville, NC
- EB-5118CA, Gary Shell Cross-City Trail, Phase III, Wilmington, NC
- EB-5539, South Tar River Greenway, Phase 3, Greenville, NC
- EB-5508, New Hope Road Multiuse Path Extension, Goldsboro, NC
- EB-5544, Gary Shell Cross-City Trail, Phase IIIE, Wilmington, NC
- EL-5100OB, Clayton Pedestrian Connector, Clayton, NC
- U-4726DC, Bolin Creek Greenway, Phase 1A, Carrboro, NC
- Park Depot Greenway, Fuquay-Varina, NC
- EB-5011, Bearskin Creek Greenway, Monroe, NC
- Rosengarten Greenway Trail and Stream Restoration, Raleigh, NC
- U-5118AB, Lufkin Road Realignment, Apex, NC
- High Point Road/West Lee Street Streetscape, Greensboro, NC
- Barclay Hills and Oleander Drive Sidewalks, Wilmington, NC
- South Ann Street Pedestrian Improvements, Wilmington, NC
- Taylor Street Extension, Wake Forest, NC





Comprehensive Bicycle Plan



Jonathan Guy, P.E., AICP

Engineering and Design

PROFESSIONAL CREDENTIALS

Bachelor of Science, Civil Engineering, University of North Carolina at Charlotte, 1998

Professional Engineer in North Carolina, Georgia, and South Carolina

American Institute of Certified Planners

PROFESSIONAL AFFILIATIONS

American Society of Civil Engineers

Institute of Transportation Engineers

Jonathan offers 17 years of wide-ranging experience in transportation planning and traffic operations. Specializing in the integration of transportation systems, he brings to this assignment a multidisciplinary approach to solving critical problems. His project experience encompasses interchange and roadway design, traffic impact analysis, interchange and corridor evaluations, traffic signal design, transportation safety, corridor planning, collector street planning, and parking analysis. He has worked on several complex projects involving coordination with federal (FHWA, US EPA), state (NCDOT, SCDOT), and local review agencies. Jonathan also has extensive experience in coordinating and conducting the public involvement process.

RELEVANT EXPERIENCE

Jonathan served as *project manager*, *engineer*, or *planner* on the following projects:

- Statesville Greenway, Statesville, NC
- Bicycle and Pedestrian On-Call Services and Comprehensive Transportation Plan, Village of Clemmons, NC
- Hendersonville Pedestrian Plan, NC
- Comprehensive Pedestrian Transportation Plan, Southport, NC
- Comprehensive Pedestrian Plan, Cornelius, NC
- Urban Design Master Plan, Troutman, NC
- Charlotte Pedestrian Master Plan, Charlotte, NC
- Comprehensive Pedestrian Plan, Mount Airy, NC
- Village Transportation Plan, Clemmons, NC
- Sneads Ferry Community Plan, Jacksonville urban area, NC
- Catawba Regional COG, Lancaster County Corridors Study (US 521 North and SC 9 North, SC
- Comprehensive Transportation Plan, Mooresville, NC
- Rock Hill-Fort Mill Area Transportation Study (RFATS) Long Range Transportation Plan, Rock Hill, SC
- Jacksonville MPO Long-Range Transportation Plan, NC





Comprehensive Bicycle Plan



Jon Sewell, AICP

Bicycle Master Planning

PROFESSIONAL CREDENTIALS

Master of Science, Urban and Regional Planning, Florida State University, 1999

Bachelor of Arts, History, Florida State University, 1997

American Institute of Certified Planners

PROFESSIONAL AFFILIATIONS

American Planning Association
Institute of
Transportation Engineers

Jon has 27 years of transportation planning experience and has been involved in bicycle and pedestrian issues on both a personal level as well as a professional level. An avid cyclist, he speaks the language of cyclists and pedestrians, bringing a unique blend of practical and technical experience to every project he is involved in. He has been involved with bicycle and pedestrian advisory committees (BPACs) and technical advisory committees (TACs), as well as with other stakeholders in the communities he works in including local bicycle clubs and organizations. Jon also has been involved in various public involvement activities related to pedestrian issues. He has recently addressed pedestrian and bicycle issues at The Villages, where Kimley-Horn provides ongoing transportation and traffic engineering services. His other recent bicycle/pedestrian related experience includes the Tallahassee Bicycle and Pedestrian Master Plan, On-Call Services for Bike/Pedestrian Master Planning for the Ocala-Marion County MPO, and the CR 30A Transportation Study in Walton County.

RELEVANT EXPERIENCE

Jon served as *project manager* or *planner* on the following projects:

- Bicycle Master Plan, Inverness, FL
- Bicycle and Pedestrian Master Plan, Longwood, FL
- Bicycle and Pedestrian Master Plan (Blueways Plan), Gadsden County, FL
- Bicycle and Pedestrian Master Plan, Kissimmee, FL
- Bicycle and Pedestrian Master Plan, Naples, FL
- Ocala-Marion County TPO, 2035 Bicycle/Pedestrian Master Plan, Ocala, FL
- Bicycle and Pedestrian Master Plan 2015 Update, Ocala, FL
- Ochlockonee Bay Multiuse Bike Trail, Sopchoppy, FL
- Multimodal Plan, Largo, FL
- Snapper Creek Trail Segment A Planning Study, Miami, FL
- Statewide Bicycle/Pedestrian Facilities Study, Florida DOT Central Office of Policy Planning, statewide, FL
- Bicycle and Pedestrian Master Plan, Tallahassee, FL
- Bicycle, Pedestrian, and Blueways Master Plan, Wakulla County, FL
- Rails-to-Trails Conversion Study, Beaufort, SC





Comprehensive Bicycle Plan



Jeffrey Whitacre, P.E., PTP, AICP

Bicycle Planning and Safety

PROFESSIONAL CREDENTIALS

Master of Engineering, Traffic Engineering, Texas A&M University, 2005

Master of Public Administration, University of Texas, Arlington, 2012

Bachelor of Science, Civil Engineering, Texas A&M University, 2004

Professional Engineer in Texas
Professional Transportation Planner

American Institute of Certified Planners

Designed and implemented over 15 miles of bicycle facilities for the Fort Worth's Pilot Bicycle Program

PROFESSIONAL AFFILIATIONS

American Society of Civil Engineers



Jeff's 10 years of project experience includes traffic operations and transportation planning including bicycle master plans, bicycle infrastructure designs, master thoroughfare planning, traffic impact studies, signal design, signal warrant studies, and other transportation studies. Jeff has a vast experience working with for agencies taking transportation planning projects into implementation engineering design. Jeff's mix of private and public expertise has allowed him to bring together the understanding and concerns of private development and balance those needs and concerns with those of an agency to reach optimal solutions. When developing a design he looks at the "bigger picture" and strives for long-term solutions instead of short-term fixes.

RELEVANT EXPERIENCE

Jeffrey served as *project engineer* or *planner* on the following projects:

- Sagebrush Corridor and Cross Section Evaluation, Flower Mound, TX
- Mobility Plan, Burleson, TX
- Bicycle and Pedestrian Mobility Plan, Missouri City, TX
- Safe Routes to School, San Antonio, TX
- Downtown Bike Plan Implementation, Fort Worth, TX
- South Bike Plan Implementation, Fort Worth, TX
- Bicycle Master Plan, Keller, TX
- Tarrant County College SE Campus Master, Arlington, TX
- Bike Striping, Arlington, TX
- Strategic Mobility Plan, Austin, TX
- Comprehensive Plan Update, College Station, TX
- Bicycle Master Plan, Edmond, OK
- On-Street Bike Plan, Mansfield, TX
- NCTOG 2011 Dallas Bike Plan, TX
- West 7th Street Bike Lanes and Pedestrian Accessibility Audit, Fort Worth, TX



Comprehensive Bicycle Plan



Jeffrey Smith, P.E., LEED AP

Bikeway Facility Design

PROFESSIONAL CREDENTIALS

Bachelor of Science, Civil Engineering, Georgia Institute of Technology, 2005

Professional Engineer in Georgia

LEED AP

PROFESSIONAL AFFILIATIONS

Association of Pedestrian and Bicycle Professionals

Urban Land Institute

Congress for New Urbanism

Institute of Transportation Engineers

Pedestrians Educating Drivers on Safety

Jeffrey is a transportation planner and engineer specializing in transportation systems management, serving both private- and public-sector clients. Jeffrey offers 9 years of diverse transportation planning and engineering experience. His areas of expertise include site planning and design primarily in urban settings, valet operations, context-sensitive design, multimodal and transit transportation modes, development of zoning and regulatory requirements, transportation demand management, and public involvement. Jeffrey has served in a planning, design, and advisory role on many large-scale redevelopment projects that include transportation-related challenges and opportunities. Jeffrey has practiced in the Atlanta market for nearly a decade, gathering national insight and perspective by working on largescale projects throughout the continental U.S.

RELEVANT EXPERIENCE

Jeffrey served as *project manager* or *engineer* on the following projects:

- Beaver Ruin Multiuse Trail, Norcross, GA
- Dunwoody Village Parkway Bike and Pedestrian Improvements, Dunwoody, GA
- Pedestrian Safety Study, Dunwoody, GA
- North Fulton CID, Blueprint North Fulton Update (2.0), Fulton County, GA
- Perimeter CIDs, Multimodal Transportation Plan, Dunwoody, GA
- Atlanta Regional Commission (ARC), Regional Transportation Demand Management Plan (TDM), various regions, GA
- ARC, North Fulton Comprehensive Transportation Plan, Atlanta, GA
- Buckhead Village Complete Streets Plan, Atlanta, GA
- Town Center Livable Centers Initiative 10-Year Update, Chamblee, GA
- D.L. Hollowell LCI Planning Project (FC-4981), Atlanta, GA
- City Center Master Plan and LCI Update, Sandy Springs, GA
- Southern Polytechnic State University, Transportation System Master Plan, Marietta, GA
- Washington State University Comprehensive Transportation Master Plan, Pullman, WA
- Buckhead CID, Peachtree Road Phases 3 and 4 Improvements, Atlanta, GA
- Buckhead CID, Piedmont Area Transportation Study, Atlanta, GA





Comprehensive Bicycle Plan



Jessica Rossi, AICP

Economic Analysis

PROFESSIONAL CREDENTIALS

Master of Arts, Community and Regional Planning, University of Rhode Island, 2005

Bachelor of Arts, Environmental Studies and Political Science, Alfred University, 2002

American Institute of Certified Planners

PROFESSIONAL AFFILIATIONS

American Planning Association
Commercial Real Estate Women

Jessica has 11 years of experience in planning, economic development, and land use analysis. She has participated in comprehensive, small area, and corridor planning assignments; fiscal impact analyses; and real estate market studies for proposed multifamily, mixed-use, and office developments. Her involvement provides clients with detailed insights into demographic and development trends as well as the fiscal implications of different growth scenarios.

RELEVANT EXPERIENCE

Jessica served as *project manager* or *market analyst* on the following projects:

- Concord Avenue Area Master Plan, Monroe, NC
- Comprehensive Plan, Westerville, OH
- Community Master Plan, Greer, SC
- Comprehensive Plan, Fort Mill, SC
- Comprehensive Plan, Rock Hill, SC
- Catawba Regional COG, Lancaster County Corridors Study (US 521 North and SC 9 North), SC
- Forward Monroe Land Use and Transportation Plan, NC
- US 74 Corridor Revitalization Plan, Union County, NC
- Centralina COG, CONNECT Our Future Regional Plan, Charlotte Metro Region, SC and NC
- Sneads Ferry Community Plan, Jacksonville urban area, NC
- Cross-Charlotte Trail, Brandywine Road to Tyvola Road, NC





Comprehensive Bicycle Plan

Similar Project Experience

ASHEVILLE MOBILITY PLAN

Asheville, NC

Kimley-Horn is assisting the City of Asheville through the process of developing a Mobility Plan. The process includes a progressive approach that blends land use, urban form, and mode split aspirations into an integrated strategy. The emphasis is on the development of decision tools that help refine the design of improvements as well as strategies for different context areas of the community. A new street typology, priority design matrix, and community-types coupled with priority tools, such as mobility indexing and the creation of a mobility district, will influence future decision making and ensure compatibility with other community initiatives.



Mariate Echeverry, *City of Asheville*



P.O. Box 7148
Asheville, NC 28802



828 232 4528



ALBEMARLE REGIONAL BIKE PLAN

Hertford, NC

Kimley-Horn was a member of the consultant team selected to assist the Albemarle Commission/ Albemarle Rural Planning Organization in developing a regional bicycle plan for a 10-county region in northeast North Carolina. The plan, developed under the NCDOT Division of Bicycle and Pedestrian Transportation, included public involvement strategies that evaluated resident and visitor perceptions of destinations, obstacles, and opportunities. The resulting plan included a series of on- and off-street facilities coupled with policy and program initiatives. Recommendations were developed based on a review of existing conditions and system deficiency analysis. The plan was presented with an implementation and action plan that adheres to NCDOT specifications.



Steven Lambert, *Albemarle Commission/
Albemarle RPO*



512 South Church Street
Hertford, NC 27944



252 426 5753





Comprehensive Bicycle Plan

SDDC TEA MARINE CORPS BASE CAMP LEJEUNE PEDESTRIAN AND BICYCLE SAFETY STUDY

Jacksonville, NC

In cooperation with the Surface Deployment and Distribution Command Transportation Engineering Agency (SDDCTEA) and Marine Corps Base Camp Lejeune, Kimley-Horn developed a comprehensive pedestrian and bicycle study to promote safety and connectivity for pedestrians, bicyclists, and transit users within the installation and to the surrounding community. The focus was to improve congestion and safety with a targeted approach to pedestrian and bicycle travel with the key objective of developing a prioritized and phased list of realistic recommendations with well-documented benefits and estimated costs. The study gave special consideration to integrating military and City of Jacksonville pedestrian, bicycle, and transit initiatives. Recommendations were based on an understanding of existing conditions, a review of previous planning efforts, and the input of a working group of military and community stakeholders.



Dave Kirkpatrick, SDDC TEA



1 Soldier Way, Building 1900W
Scott AFB, Illinois 62225



618 220 5252

KNOXVILLE BICYCLE FACILITIES PLAN

Knoxville, TN

The City of Knoxville retained Kimley-Horn to help prepare the citywide Bicycle Facilities Plan and the Downtown Circulation and Mobility Plan. Although these plans represent different geographies and modal elements, Kimley-Horn was selected to lead both as a means to promote consistency between the two efforts. The Bicycle Facilities Plan identifies a series of on-street recommendations to serve a variety of user groups and destination points. A subset of facilities was studied to identify implementation challenges and opportunities. The Downtown Circulation and Mobility Plan focused on identifying the best way to accommodate multimodal needs for the Central Business District within the existing rights-of-way. This study focused on one-way to two-way conversion, bicycle and pedestrian accommodations, parking, ADA accessibility, and transit accommodation.



Jim Hagerman, City of Knoxville



400 Main Street, Suite 480
Knoxville, TN 37901



865 215 2027



Comprehensive Bicycle Plan

DOWNTOWN GREENWAY PHASE 4 AND ATLANTIC & YADKIN GREENWAY PLANNING STUDY

Greensboro, NC

Kimley-Horn currently is serving the City of Greensboro by developing a planning study and concept plan for Phase 4 of the Downtown Greenway and the Atlantic and Yadkin Greenway. The proposed greenway corridors follow a Norfolk Southern railroad that is planned to be abandoned. Phase 4 of the Downtown Greenway is proposed to extend one mile from Spring Garden Street to Smith Street, while the Atlantic and Yadkin Greenway is proposed to extend two miles from Smith Street to Markland Drive. A major element of the project is to study and evaluate alternatives at the proposed greenway's crossings with roadways and streams based on physical limitation, safety concerns, environmental impacts, and project feasibility. The Kimley-Horn team ultimately will prepare a general landscape master plan, typical sections, photo renderings, 3D visualizations, and preliminary greenway and roadway plans.



W. Todd Lambert, P.E., *City of Greensboro*



300 W. Washington Street
Greensboro, NC 27402



336 373 2338

TOWN OF WAKE FOREST COMPREHENSIVE WAYFINDING PLAN FOR PARKS AND GREENWAYS

Wake Forest, NC

Kimley-Horn, along with DAWA Inc. was selected by the Town of Wake Forest to assess the Town's park and greenway system signage and develop a new comprehensive wayfinding plan. The Town's Parks, Recreation, and Cultural Resources department wanted a wayfinding system that improved visitor experiences in Wake Forest by assisting them in reaching their desired destination, increasing visibility of the Town's parks and greenways, and strengthening the community's sense of place. Our design team conducted a series of workshops and charrettes with Town staff, the Project Core Committee, and public artists, Jim Hirshfield and Sonya Ishii, to design a wayfinding system that incorporated the natural character of the Town's park system, reinforced the Town's newly adopted brand, and recognized the scale and complexity of the various parks. Kimley-Horn produced the Design Workbook currently being implemented by the Town.



Candace Davis, *Town of Wake Forest*



301 S. Brooks Street
Wake Forest, NC 27587



919 435 9513



Comprehensive Bicycle Plan

LIST OF ADDITIONAL SIMILAR PROJECTS

Kimley-Horn has worked on several additional relevant projects; a short list is provided below. We are happy to provide more information upon request.

- Greenville Bicycle and Pedestrian Plan, NC
- Hendersonville Pedestrian Plan, NC
- Clayton Comprehensive Bicycle Plan, NC
- Smith and Sanford Creek Greenway, Wake Forest, NC
- Goldsboro Bike, Pedestrian, and Greenway Plan, NC
- Blacksburg Transit Bus Stop Safety and Accessibility Study, VA
- Gary Shell Cross-City Trail Design Services, Wilmington, NC
- Cross-Charlotte Trail, NC
- Hal Greer Boulevard Bicycle and Pedestrian Safety Study, Huntington, WV
- Hendersonville Circulation Study, TN
- Boyd and Greenup Counties Non-Motorized Transportation Plan, KY
- High Point North Main Street Road Diet Study, NC
- Sneads Ferry Community Plan, Jacksonville, NC
- Ironton Multimodal Parking Study, OH
- Regional Transportation Plans with Bike Elements:
 - » *moveDC Multimodal LRTP, Washington, D.C.*
 - » *CAMPO Southwest Area Study, Raleigh, NC*
 - » *CAMPO Southeast Area Study, Raleigh, NC*
 - » *Lowcountry Area Transportation Study 2040 LRTP, Beaufort, SC*
 - » *Jacksonville Urban Area MPO 2040 LRTP, NC*
 - » *Wilmington Urban Area MPO 2040 LRTP, NC*
 - » *CRTPA 2040 Regional Mobility Plan, Tallahassee, FL*
 - » *KYOVA 2040 Metropolitan Transportation Plan, Huntington, WV*
 - » *Sioux Falls 2040 LRTP, SD*
 - » *Sumter Urban Area Transportation Study 2040 LRTP, SC*





Comprehensive Bicycle Plan

Scope of Services

Understanding and Approach

We understand that NCDOT, the City of Hendersonville, and the Blue Ridge Bicycle Club have combined resources to sponsor the creation of the Hendersonville Comprehensive Bicycle Plan. With this understanding, we've assembled a team and an approach that seeks to maximize the efficiency and effectiveness of your resources. We've evaluated how our past work in Hendersonville, as well as our work in the greater Asheville region, can be leveraged to the advantage of your project so that more of your dollars are spent on actual planning and less on logistics and data gathering. This includes our belief that strong involvement by the steering committee and volunteers like the Blue Ridge Bicycle Club can enhance the work plan allowing us to exceed what is normally accomplished in similar projects. We intend to use our local knowledge and experience to be responsive to the desired outcomes of the City and the steering committee while addressing the goals and objectives of NCDOT's Bicycle and Pedestrian Planning Grant Initiative program.

TASK 1 – PROJECT COORDINATION

Project Work Plan

Project management plays a critical role in the development and delivery of any plan, but its importance is even more evident in developing a comprehensive bicycle plan that requires a high level of analysis and design detail, has a variety of available strategies for recommendation, and involves numerous agencies and stakeholders with a vested interest in the outcome. We approach each project with a defined work program, flexible schedule, and open communication between all members of the project team and steering committee. Within one week of notice to proceed, we will submit a project work plan outlining key milestones and deliverables along with a detailed schedule. Throughout the project, the Kimley-Horn team will provide monthly updates to the work plan, including updated milestone schedules, expected tasks for the coming months, and outstanding deliverables. The work plan operates as a blueprint from project inception to plan adoption.





Comprehensive Bicycle Plan

Coordination with City Development Assistance Department and NCDOT

Along with monthly updates of the project work plan, we will provide the Development Assistance Department staff with email briefings that describe ongoing work, next steps, and any issues that will need to be resolved to ensure adherence to the project schedule detailed in the project work plan. We pride ourselves on being responsive to our clients and we expect to communicate with you about the progress of the project more frequently than just once a month. Paired with meetings in advance of the two public open houses and the public hearing, we intend to keep the Development Assistance Department apprised of the plan's status as much as possible. We will work with you to schedule these meetings to coincide with steering committee meetings, when convenient. In addition, Trung Vo, our project manager is located in our Cary, NC office. His proximity to NCDOT's Division of Bicycle and Pedestrian Transportation will allow for periodic updates without their need to travel to Hendersonville for every meeting.

Steering Committee

Our team understands how important the steering committee's guidance will be in the planning process and we intend to lean heavily on their local knowledge and wisdom. We will partner with City staff to identify who should be represented on the steering committee, including, but not limited to, the City of Hendersonville's Development Assistance Department and other departments (Engineering, the Police Department, and Public Works), the Blue Ridge Bicycle Club, Friends of the Ecusta Trail, the Environmental and Conservation Organization of Henderson County, NCDOT Division of Bicycle and Pedestrian Transportation, and NCDOT Highway Division 14.

We plan to prepare for and facilitate at least four meetings with the steering committee to accomplish several objectives:

- Establish a vision statement for the plan
- Identify existing issues, obstacles, and opportunities
- Define short-range and long-range objectives
- Strategize for the two open house meetings
- Develop a project prioritization process and action plan
- Review the draft Comprehensive Bicycle Plan

TASK 2 – DATA COLLECTION

The data gathering process will begin on day one of the project. In fact, we've already begun collecting some of the data via other work we are currently doing for the City of Hendersonville. As part of the Hendersonville Circulation Study, we have already initiated a cursory field review, requested 3-year crash data for Henderson County, and obtained the City's parcel data. Other data is readily available, including demographic data from the American Community Survey, traffic volume data from NCDOT, and other GIS data from Henderson County GIS. We have a head start and can hit the ground running.

We also will conduct a thorough review of locally adopted plans relevant to active transportation and cycling, including, but not limited to, the City of Hendersonville Comprehensive Plan, the 2013 Blue Ridge Bike Plan, and the Ecusta Rail Trail Planning Study and Economic Impact Analysis.





Comprehensive Bicycle Plan

TASK 3 – PUBLIC ENGAGEMENT

Open House Meetings

Our public engagement strategy will be based on successful methods that the City of Hendersonville has previously employed paired with new methods to capture as much public feedback as possible. The traditional method of disseminating information and obtaining feedback via open house meetings can be very successful with strategic advertising and promotion. We will empower the steering committee to be conduits of communication to their constituents. We understand, based on the Request for Proposals (RFP), that the Development Assistance Department does not expect any of our team members to be present at the open houses. If it is determined during the planning process that our presence would provide value, we will gladly prepare for and attend one or both of these meetings. At the very least, we will provide you with a PowerPoint presentation, informational brochures, maps and infographics for display, and any other materials for each open house.

The first public open house will emphasize existing cycling conditions in the City of Hendersonville. We will seek input from residents, property owners, business owners, advocacy groups, and all road users to identify the areas that need improvement. In addition, we will use this gathering to explore the “what ifs” associated with a more bikable Hendersonville. The second public open house will

occur after the project team has developed a draft of the Comprehensive Bicycle Plan. Participants will have the opportunity to review and comment on the draft results and influence the plan’s identified priorities.

Interactive Map

We propose the creation of an online interactive map to collect public input from residents and visitors who currently bike or desire to bike. The interactive map would be based on a familiar and easy-to-use mapping interface and it would enable users to geographically identify the locations of desired destinations, mobility issues, and opportunities for improvement. The online format will make it easy for the community to participate in the planning process from the convenience of home as well as on their mobile devices.

Other Methods

Other forms of public engagement that we could employ include using the City of Hendersonville’s Facebook page, partnering with the Parks and Recreation Department’s Bike Skills Club to gain insight from both parents and youth, and coordinating a ride around the city with the Blue Ridge Bicycle Club.

The Hendersonville City Government’s Facebook page currently has over 1,800 likes and the Downtown Hendersonville Facebook page has over 4,700 likes. We can use these avenues to promote the plan, advertise the interactive map, and invite residents and visitors to the open house meetings.





Comprehensive Bicycle Plan

The Hendersonville Parks and Recreation Department partners with Trips for Kids WNC to teach 3rd, 4th, and 5th grade students how to ride their bicycles safely. These classes occur in June and July, and we could use this opportunity to gain an understanding of what Hendersonville's students and parents desire regarding cycling in their community.

We understand the impact that the Blue Ridge Bicycle Club has had on cycling in Western North Carolina and in Hendersonville, specifically. Its presence and advocacy is evident within the City from sharrows on 4th Avenue to the brand new Fixit Station installed along the Oklawaha Greenway in Patton Park. We also recognize the Blue Ridge Bicycle Club's contribution in funding this Comprehensive Bicycle Plan. In addition to being an integral part of the plan's steering committee, we envision partnering with the Blue Ridge Bicycle Club to plan, promote, and lead a bike ride around the City of Hendersonville. The intent of the ride will be to promote cycling within the City, to better understand the City's roadways, and to identify locations of opportunities for consideration in the plan.

Public Hearing

After NCDOT's review and approval of the Comprehensive Bicycle Plan, we will attend a subsequent public hearing to present the plan to City Council for their approval and adoption.



TASK 4 – ANALYSIS AND RECOMMENDATIONS

Based on guidance from the steering committee, feedback obtained from the public, existing geometric and operational characteristics, and planned roadway and greenway improvements, our team will use our experience combined with state and national guidelines as well as best practices to develop recommendations for on-street and off-street projects; local policies and ordinances; local, state, and federal funding opportunities; and educational program initiatives. Our team will leverage the skills and expertise of our mobility planners, traffic engineers, and roadway designers to generate recommendations that are implementable and meet the needs of the community.

After a list of recommended projects and program initiatives has been documented, we will use one of the steering committee meetings to produce a prioritization process to identify which projects should be completed in the short-term and which projects should be completed in the long-term.

TASK 5 – DOCUMENTATION

Mapping and Graphics

Our team will produce mapping and graphics that are attractive and easy to read and understand. We will be stewards of the data used in the plan and desire, at the end of the planning process, to transfer any and all data to you and NCDOT DPBT to use and reuse in the future. NCDOT's geodatabase template is configured to aid the creation of separate point and line feature classes for bicycle facilities, pedestrian facilities, and shared-use path facilities. We will submit mapping and graphics files in both PDF and JPG format to increase the flexibility of their use.

Report

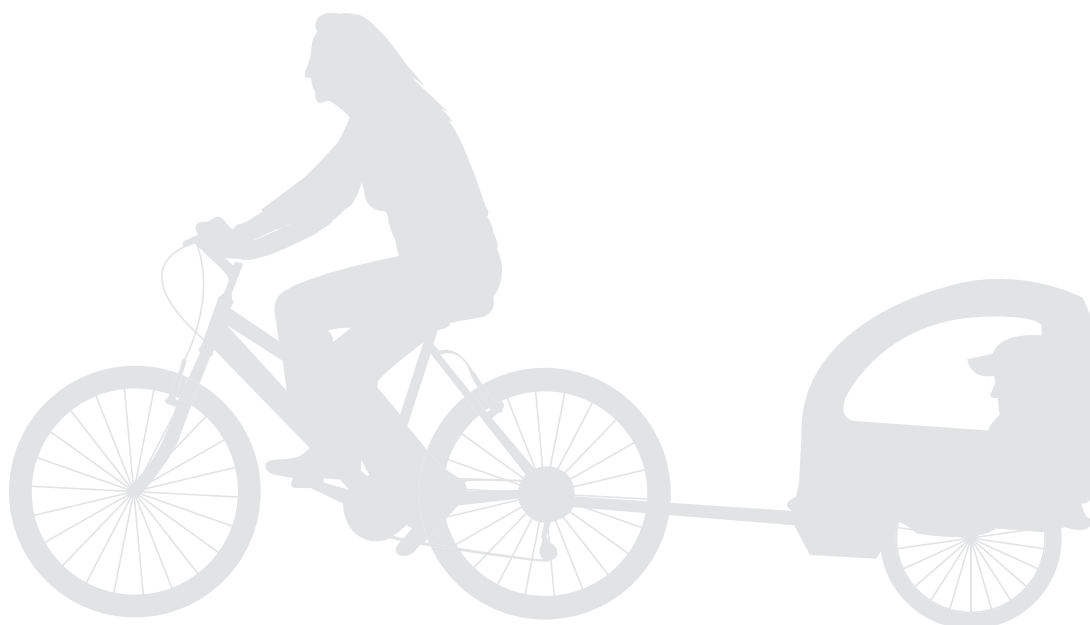
The draft and final versions of the Hendersonville Comprehensive Bicycle Plan will follow NCDOT DPBT's plan template. We will provide 15 bound hard copies, 1 print-ready original, and a USB drive or CD containing all electronic files to you following NCDOT's review and approval of the draft. We'll also create an electronic flipbook for easy viewing on the web and on mobile devices. The electronic files will include a PDF of the complete Comprehensive Bicycle Plan with an interactive table of contents. We understand that all materials and data submitted to the City of Hendersonville will become the City's property.



Comprehensive Bicycle Plan

Task Assignments

	Task 1 Project Coordination	Task 2 Data Collection	Task 3 Public Engagement	Task 4 Analysis and Recommendations	Task 5 Documentation
Stephen Stansbery	◆		◆		◆
Trung Vo	◆	◆	◆	◆	◆
Don Kostelec			◆	◆	
Allison Fluitt			◆	◆	
Jonathan Whitehurst		◆			◆
Cathy Murrell		◆		◆	
Gabe Dobbs		◆		◆	
Jonathan Guy		◆		◆	

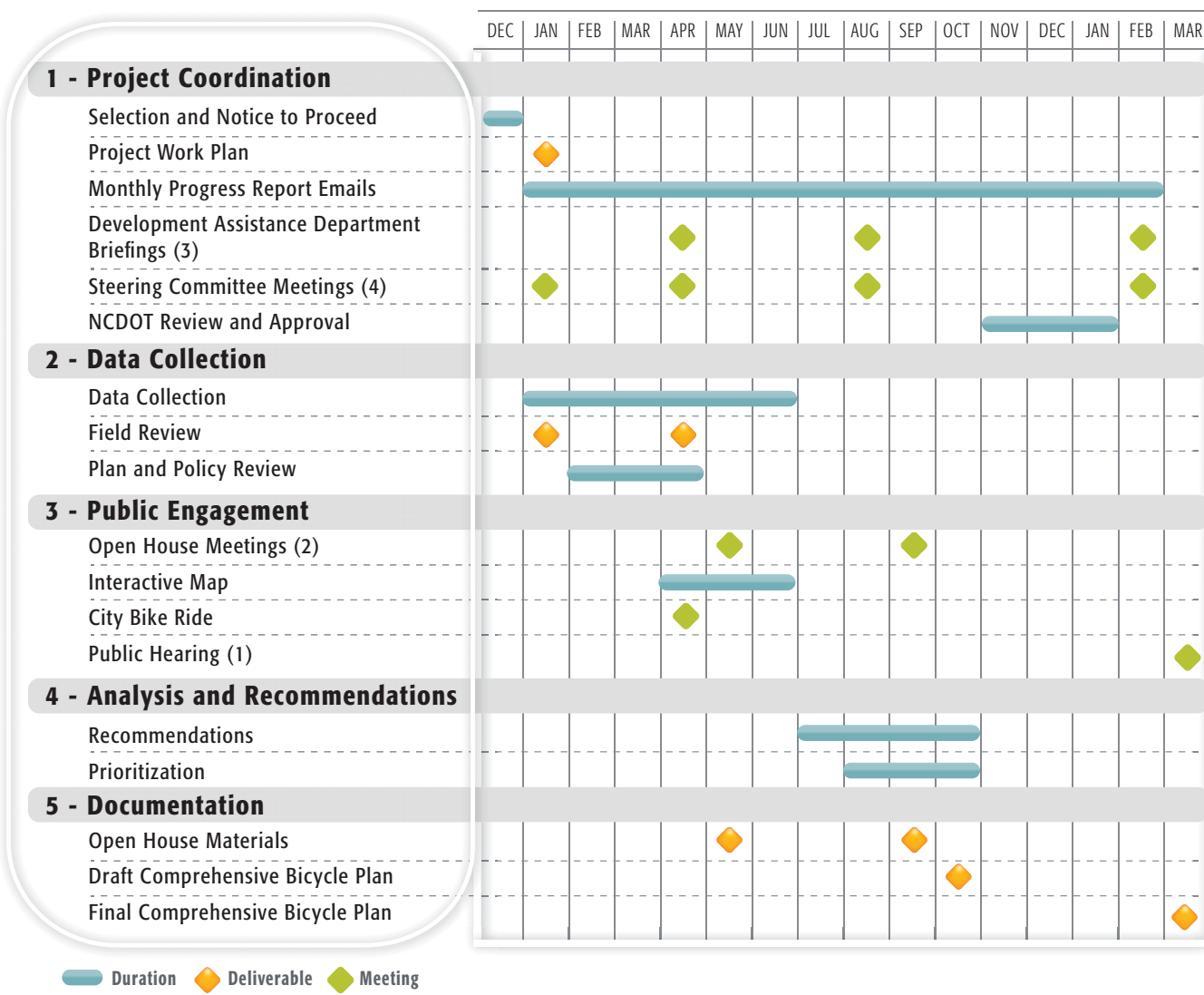




Comprehensive Bicycle Plan

Summary Timeline

The Kimley-Horn team proposes the preliminary project timeline below for your consideration. We look forward to confirming and modifying details of the schedule during the initiation of the project.



Summary of Fees

The Kimley-Horn team understands that the City is strictly limited to the \$50,000 budget allocated for this project. We commend the City and its invested stakeholders, such as the Blue Ridge Bicycle Club, for taking action to improve bikability throughout the community by making it a priority and locating funding to get the job done right. Kimley-Horn is committed to respecting this budget by making every effort to not only stay within its bounds, but also make each dollar count.







CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Lew Holloway

Department: Downtown

Date Submitted: 12/09/2015

Presenter: Lew Holloway

Date of Council Meeting to consider this item: 01/07/2016

Nature of Item: Council Action

Summary of Information/Request:

Item # 10

The Downtown Advisory Committee, in concert with the City's Special Event Committee, has developed a revised special event application and updated the City's Special Event Policy. The changes made to the policy are reflective of an effort to clarify the policy and gather additional information in the application process that will allow for a comprehensive picture of a proposed event and help event organizers navigate the opportunities and challenges associated with downtown events.

The additions to the new policy not found in previous versions are:

- 1) The provision of information regarding past trends and future predictions for vendor participation and event attendance. This information is required.
- 2) The provision of information regarding marketing strategy and marketing budget for the event. This information is required.
- 3) The provision of a sidewalk or street closure petition which elicits the support of effected business owners anytime there is a street or sidewalk closure request. This element is only required for for-profit event sponsors, non-profits may elect to bypass this, although the policy recommends that they pursue stakeholder support.

The policy further explains how the information gathered is used in establishing criteria for assessing the event impacts and outlines the grounds for denying an event request.

Budget Impact: \$ 0.00 Is this expenditure approved in the current fiscal year budget? If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

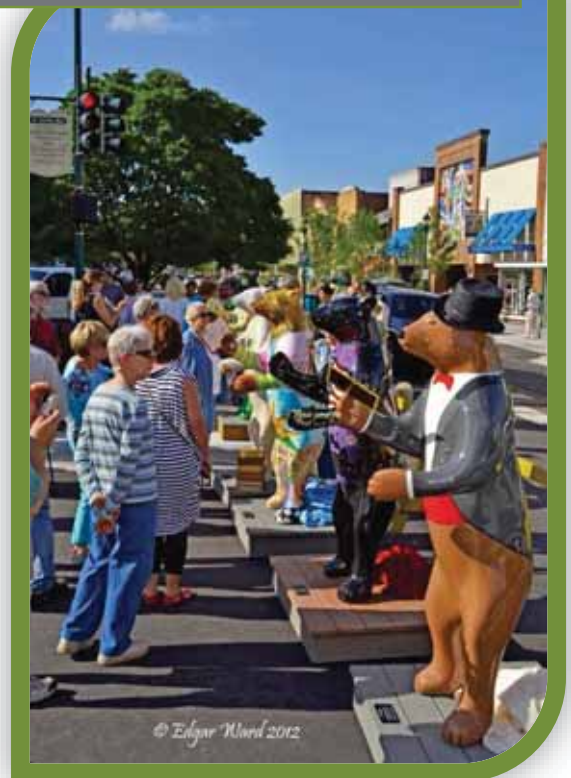
I move the City Council adopt the revised Special Event Policy as presented by the Downtown Advisory and Special Event Committees.

Attachments:

Revised Special Event Policy and Application for the City of Hendersonville.

CITY OF HENDERSONVILLE

Special Events Policy



Executive Summary

The City of Hendersonville, NC is a vibrant community with a variety of municipal resources which lend themselves to use for special events. Special events require the coordination of a variety of city and event organizers' resources to come together successfully. Whether held downtown, in one of our many attractive public parks or elsewhere in the city, they have very specific impacts which are best considered and weighed prior to the event itself.

The following policy has been established to facilitate this planning process with the city. If you are planning a special event in the City of Hendersonville, it is essential that you review the policy well ahead of your planned event date to determine what you'll need to have in place for a successful event!

In this policy you will find information about:

1. What the City's definition of a "Special Event" is.
2. Fees, deposits and special conditions which may be applied to each event.
3. Application timelines and required special event permit documentation and information.
4. Grounds for application denial.
5. The Committees involved in the event approval process and their roles & responsibilities.



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Special Event - Definitions

A special event is defined as a pre-planned event, whether publicly and/or privately sponsored, which is proposed to be held on public property, including but not limited to parks, streets and/or sidewalks. All special events require a Special Event Permit issued by the City of Hendersonville. There are two categories of Special Events listed below.

Park and/or Road Festival

Park and/or Road Festival means an organized neighborhood or public gathering on a public right-of-way (street, sidewalk, parking lot or alley) or public park (Patton, Berkley, etc.) on a specified date at a specific time, and confined to a designated area that may or may not require an admission fee to enter and participate.

Procession/Parade/Organized Competitive Event

Procession/Parade means a public or private march, run, cortege, walk, cavalcade, autocade, parade of any kind, other gathering of persons that occurs upon public right-of-way, park or both in an area used for vehicular traffic. ***Organized Competitive Event*** means any planned race, walk, derby, or event that involves a contest of skill and/or strength and takes place upon public right-of-way or park.

Special Event Application: Timelines

The Special Events Committee hears all event applications within the city. The timeline below outlines minimum requirements for Special Event Permit Applications.



Special Event Application Submission & Approval Timeline	
<u>Minimum 90 Days Prior to Special Event Date – Application Submission</u>	
<ul style="list-style-type: none"> • Submission of Special Event Application Package • Special Event Site Plan • Street and/or Parking Closure Request(s) <p>Special Events Application Package must be submitted to <u>Susan Frady – Special Event Committee Chairperson</u>. Phone # 828.697.3010, Fax # 828.698.6185, E-mail: sfrady@cityofhendersonville.org, Address: 100 N. King St., Hendersonville, NC 28792.</p>	
<u>Minimum 60 Days Prior to Special Event Date – Committee Review (Applicant Attendance Required)</u>	
<ul style="list-style-type: none"> • Downtown Advisory Committee Review & Recommendation (where applicable) • Special Events Committee Review & Recommendation – includes review by Police, Fire and Public Works 	
<u>Minimum 30 Days Prior to Special Event Date – City Council Meeting</u>	
<ul style="list-style-type: none"> • Final Site Plan, Event Timeline & On-Site Contacts • Proof of Insurance • Vendor Permits • City Council Review & Approval (Required) 	
Post-Event	
<u>Maximum 30 Days After Last Day of Event</u>	
<ul style="list-style-type: none"> • Final Payment as needed • Reserve Future Dates 	

Special Event Application: Component Parts

1. **Event Application Cover Page:**
 - a. **Event Organizer & Contact Information**
 - b. **Name of Event**
 - c. **Date(s) of Event**
 - d. **Past Attendance Trends & Predicted Attendance For Upcoming Event**
 - e. **Past Vendor Participation Trends & Predicted Vendor Participation for Upcoming Event**
2. **Event Description, Statement of Public Benefit and Public Services Required:** A basic overview of the event and its impact on the community and city services. Provide an overview of the event and how it will benefit the community? In addition, include information about what you, as the event coordinator, will need in terms of city services? Examples might include additional trash pick-up, police support, etc.
3. **Event Site Plan:** A visual representation of all the operational elements of your proposed event. To properly assess the event, the site map should be submitted along with the Special Event Application and include the following elements:

A	Direction North, indicated by directional arrow symbol.
B	The overall event area including: any requested street closures and/or the location and number of any parking closures
C	The location and dimensions of all physical equipment being placed, including, but not limited to, any stage(s), vendors, booths, sponsors, tents, signs, barricades, portable toilets, vehicles, shelters and shelter numbers, etc.
D	Location of temporary alcohol sales where both sales and consumption occur.
E	Indicate 20' wide fire lane clearances in all areas and the location of all fire hydrants.
F	Include electrical plans for vendors and stages, specifying how much each site requires, in terms of amps & volts.
G	Any other details you think are helpful in the physical description of your event.

4. **Event Marketing Strategy & Budget:** A snapshot of the people and places you are targeting in your effort to "get the word out" about your event and the budget you are employing to reach your target market. Reviewing this snapshot is an important component of understanding the public benefit.

5. **Vendor Applications & Electrical Requirements Form (when applicable):** If your event includes food or retail vendors and any of those vendors or you as the event coordinator require electric, you must submit a vendor permit & electrical requirements form. The form provides a straightforward way for you to calculate your total "Event Fees," while providing city staff with a clear picture of your electrical needs. Event Fees must be submitted prior to the event.
6. **Street Closure/Sidewalk Impact Petition (when applicable):** If your event includes a request for a street or sidewalk closure a completed petition form:
 - a. Certifies that all property owners, managers or lessees adjacent to the proposed closure area have been or will be notified at least 20 days prior to the event of the Date, Time, Location and Purpose of the event.
 - b. Provides the City with proof that you have identified a property owner(s), manager(s) or lessee(s) of property(s) within the impacted block(s) who convey their approval of the event.
 - c. **This petition is not required for government and non-profit sponsored events, but is highly recommended.**
 - d. **All privately sponsored events must complete this requirement.**
7. **Insurance:** The event organizer must furnish a current general liability insurance policy which names the City of Hendersonville as a co-insured on the policy. Insurance requirements are as follows:
 - a. **Commercial General Liability:**

i. Per occurrence	\$1,000,000
ii. Personal & Advertising Injury	\$1,000,000
iii. Products/Completed Ops.	\$1,000,000
iv. General Aggregate	\$1,000,000

In addition to these minimum requirements certain events may require additional coverage, based upon the type of event. Examples of additional coverage could include Automobile Liability, Workers Compensation and Liquor Liability. Additional requirements will be conveyed to the event organizers.

8. **Police Support:** Events which exceed the attendance threshold established below and/or operate with an ABC special event permit are required to hire off-duty City of Hendersonville police officers. Hourly rates for off duty officers are included for budgeting purposes. Please note the Special Event Committee may require a larger or smaller number of officers depending on event specific conditions.

Attendance Range	Officers Required - NON-ABC EVENT	Officers Required - ABC EVENT
0 to 5,000	Zero	2 to 3
5,000 to 10,000	Zero	3 to 4
10,000 (plus)	# determined by Police Chief	# determined by Police Chief
Hourly Rate for Off Duty Officer	\$25.00	\$40.00

Special Event Application: Additional Considerations & Interpretations

1. **Special Event Applicant Priority Ranking:** The Special Event Committee will use the following priority list if there are conflicting requests for a particular time and date.

Priority will be given in the following order:

- a. Events that have established historic precedence and are in good standing.
 - b. Events organized by the City of Hendersonville.
 - c. Events organized by Henderson County Schools.
 - d. Events organized by Henderson County Governmental Units.
 - e. Events organized by Hendersonville based non-profit organizations with proceeds providing assistance to the organizer or another Hendersonville based non-profit organization (requires proof of 501c(3) status).
 - f. Events organized by private businesses, non-profit organizations; without or pending 501c(3) status, **not** based in Hendersonville, and/or individuals for the purpose of profit, personal gain, and/or proceeds that will be used to benefit other than those Hendersonville based non-profit organizations.
2. **Criteria Considered for All Street Closures & Other Event Impacts:** The following factors are carefully considered prior to recommending approval of proposed events, in particular those which require street closure (whether lane closures, local streets or major/secondary streets.) Organizers wishing to close any portion of a street will need to justify that need with a compelling case composed of information in the following categories.
 - a. Total number of event attendees, both historical trends and predicted increases.
 - i. These numbers will be considered both in terms of total attendance and attendance over time, i.e. a smaller total may still warrant closure if concentrated over a short period of time.
 - ii. Unless an event attracts more than 50,000 visitors per day it would typically not warrant the closure of a majority of Main Street.
 - iii. Smaller events may with fewer than 50,000 visitors per day may warrant the closure of one or more blocks of Main Street.
 - b. Total number of event vendors, both historical trends and predicted increases.
 - i. Unless an event hosts more than 125 vendors it would typically not warrant the closure of a majority of Main Street.
 - ii. Smaller events with fewer than 125 vendors may warrant the closure of one or more blocks of Main Street.
 - c. Event Marketing Strategy & Budget

- d. Verification (if for profit) and Consideration (if governmental or non-profit) that the event applicant or sponsor has completed the "**Street Closure/Sidewalk Impact Petition.**"
 - e. Impact of the proposed event on residents, occupants or business persons of the block.
 - f. Impact of the proposed event on the accessibility of emergency vehicles in the closure areas.
 - g. Impact of the proposed event on vehicular traffic such as circulation, traffic movement and availability of alternate routes for traffic.
 - h. Potential interference with commercial and business activities in the immediate vicinity.
 - i. Conditions existing in the surrounding area that, when occurring in conjunction with a street closure, might create a hardship or an unnecessary inconvenience to the general public or persons residing in the area.
 - j. Relationship in regards to timing of proposed closure to other approved or proposed closures.
3. **Portable Toilets:** An essential but sometimes overlooked element of special event planning portable toilets are particularly important in downtown Hendersonville as the availability of public restrooms is limited. The guidelines included below are provided as a recommendation and reference. They are based on a four hour long event. Longer or shorter duration events should consider modification to these numbers.

Attendance Range	Portable Toilets Recommended NON-ABC EVENT	Portable Toilets Recommended ABC EVENT
0 to 5,000	1 to 10	2 to 15
5,000 to 15,000	10 to 25	15 to 40
15,000 to 50,000	25 to 50	40 to 75
50,000 (plus)	50 plus	75 plus

Special Event Application: Grounds for Denial

The Special Event Committee may recommend that City Council deny a permit application on one or more of the following grounds:

- The event applicant does not generate a compelling case for the event's public benefit.
- The event applicant does not provide evidence of impacted property and business owner representation and support, whether via the "**Street Closure/Sidewalk Impact Petition**," through event co-sponsorship or by other means.
- Failure to submit an application within the time periods outlined herein.
- Failure to submit a complete application. A complete application is one which addresses all "required" elements of the application.
- The applicant owes the City of Hendersonville money from another event for services provided or as a result of damages to city property.
- The Special Events Committee has already received a completed application for the same date and/or space.
- The event would conflict with previously planned programs organized and conducted by the city or non-governmental agencies scheduled for the same time and/or place.
- An event requiring significant street closures, i.e. 3 or more blocks, occurs within ten (10) days of an existing event which also requires significant street closures.
- The applicant does not comply with all applicable city ordinances, traffic rules, park rules and regulations, state health laws, fire codes and/or ABC licensing regulations.
- The use or event proposed by the applicant would present an unreasonable danger to the health or safety of the public.
- The applicant cannot comply with applicable local, state and federal license requirements for all or part of the planned event.
- The use or event is prohibited by law.
- The application contains material misrepresentation or fraudulent information.

Special Events Committee – Roles & Responsibilities

This Committee is established to assure that all special event applicants follow the procedures outlined in this document and to provide assistance in event logistics as it relates to the health and safety of organizers and attendees at special events conducted within the City of Hendersonville.

Special Event applicants will submit their applications to the Committee Chair; Development Assistance Director Susan Frady, who will distribute copies to the committee according to the timeline outlined on page 4. The applicant will then meet with the Special Events Committee at least 60 days prior to their event; event coordinators are encouraged to schedule this even earlier if possible. For events within the Downtown Municipal Service District, the Downtown Economic Development Director will distribute copies to the Downtown Advisory Committee.

The Special Events Committee is made up of the following individuals:

1. Development Assistance Director – Committee Chairperson
2. Police Chief (or representative)
3. Fire Chief (or representative)
4. Public Works Director (or representative)
5. Downtown Economic Development Director (Ex-Officio Member)

The Special Event Committee's primary role is to coordinate the variety of special events which take place in the City of Hendersonville and to protect the health and safety of the community. To do so the Committee:

1. Maintains a running list of events that includes those that have:
 - a. Received City Council approval.
 - b. Received Special Events and Downtown Advisory Committee (as applicable) review and recommendation.
 - c. Requested an annually recurring date and which have established historic precedent for this request. Example, The Apple Festival occurs over Labor Day weekend each year.
2. Provides a comprehensive review of the event site plan, identifying and providing event organizers with cost estimates for any city services and personnel that their event will require.
3. Reviews the event site plan and application to identify any life safety issues that the proposed event presents the community.
4. May approve recurring events which have no material changes to the event proposal.
5. May approve events which have no impact on the streets or sidewalks of the City of Hendersonville and do not require more than \$1,000 in city resources.

Downtown Advisory Committee – Roles & Responsibilities

The Downtown Advisory Committee is a City Council appointed volunteer group tasked with helping implement the Main Street Four Point model of downtown economic development. The committee has two primary roles in regards to Special Events as they are defined in this document.

1. The primary role of the Downtown Advisory Committee is to organize and oversee special events of their choosing which support the Committee's vision for Historic Downtown Hendersonville. The criteria used to guide the Committee in this role include, but are not limited to, the following:
 - a. Events should celebrate the community's culture, heritage and diversity.
 - b. Events should appeal to our diverse community.
 - c. Events should support the entrepreneurial and creative communities that call downtown home on a daily basis.
 - d. Events should support our efforts to highlight downtown as a cultural and market destination for the community & visitors.
2. The secondary role of the Downtown Advisory Committee is to provide Special Event Organizers, the Special Event Committee and City Council with recommendations and feedback in regards to any special event proposed for the downtown Municipal Service District(s). These recommendations and associated feedback will be presented to event organizers during the Special Events Committee meeting by the Downtown Economic Development Director. Event organizers are encouraged to attend the Downtown Advisory Committee meeting at which their event will be reviewed to answer questions and hear feedback first hand.

Appendix

<u>Special Event Application & Associated Forms</u>	I
<u>Example General Liability Policy</u>	II
<u>Recycling Bin Loan Program</u>	III
<u>Code of Ordinances – Special Events</u>	IV



**City of Hendersonville
SPECIAL EVENT PERMIT
APPLICATION COVER PAGE AND CHECKLIST**



An application for a permit to conduct a special event pursuant to Section 28-39, Hendersonville City Code.

Please reference the City's Special Event Policy for additional information about the application process.

Note: The person responsible for the special event, or his/her designee, must be present for the duration of the event.

Name of Special Event: _____

Event Sponsor: _____ Phone #: _____

Sponsor Address: _____

Authorized Event Coordinator: _____

Cell Phone #: _____ Email: _____

Requested Event Date(s): _____ Requested Event Hours: _____

Estimated Past Attendance: _____ Predicted Attendance: _____

Past Vendor Participation: _____ Predicated Vendor Participation: _____

"Hold Harmless Agreement"

By signing this agreement, the sponsor will hold harmless the City of Hendersonville, its officers, employees and agents, the Public Works Department and staff free and harmless from and against any and all losses, penalties, damages, settlements, costs, charges professional and attorney's fee or other expenses or liabilities of every kind and character arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings or causes of action of every kind and character in connection with or arising directly or indirectly out of this event and/or the performance hereof and caused by the negligence of the Sponsor. The Sponsor will take full responsibility. The City of Hendersonville will not be responsible for personal items or property used as part of event.

Signature of Authorized Event Representative: _____ *Date:* _____

APPLICANT CHECKLIST

Please reference the City of Hendersonville's Special Event Policy for additional information about the requirements listed in the checklist below.

- ☐ **Event Description, Statement of Public Benefit & Public Services Required (REQUIRED) - Page #2 in application**
- ☐ **Event Site Plan (REQUIRED) - Page #3 in application**
- ☐ **Event Marketing Strategy & Budget (REQUIRED) - Page #4 in application**
- ☐ **Vendor Application & Electrical Requirements Form (Complete as needed) Page #5 in application**
- ☐ **Street Closure/Sidewalk Impact Petition Form (Complete as needed) Pages #6 & 7 in application**
- ☐ **Event Insurance (REQUIRED)**

Submit This Completed Application & All Supporting Material Outlined Above To:

Susan G. Frady, CFM, CZO Director, Development Assistant Department City of Hendersonville
100 N. King Street Hendersonville, NC 28792 Phone #: (828) 698-6185



City of Hendersonville
SPECIAL EVENT PERMIT
EVENT DESCRIPTION, STATEMENT OF
PUBLIC BENEFIT AND PUBLIC SERVICES REQUIRED



Please provide a detailed “Event Description” along with your “Statement of Public Benefit” and “Public Services Required” for review.

Please reference the City’s Special Event Policy for additional information about this application requirement. Feel free to attach your response to this sheet.

Name of Special Event: _____

Event Description:

Statement of Public Benefit:

Public Services Required:



City of Hendersonville
SPECIAL EVENT PERMIT
EVENT SITE PLAN



Please provide a detailed "Event Site Plan."

Please reference the City's Special Event Policy - page 5 for additional information about this application requirement.

Feel free to attach your site plan to this sheet.

Name of Special Event: _____

Event Site Plan:



City of Hendersonville
SPECIAL EVENT PERMIT
EVENT MARKETING STRATEGY AND BUDGET



Please provide an "Event Marketing Strategy" along with your "Marketing Budget" for review.
Please reference the City's Special Event Policy - page 5 for additional information about this application.
Feel free to attach your response to this sheet.

Name of Special Event: _____

Event Marketing Strategy:

Marketing Budget:



City of Hendersonville
SPECIAL EVENT PERMIT
VENDOR PERMITS AND ELECTRICAL REQUIREMENTS



Complete the form below based on the number of vendors and types of electrical connections required for your event. If you have questions about the electrical requirements for your event please contact the City Public Works Department at (828) 697-3000.

Name of Special Event: _____

Authorized Vendor Coordinator: _____ Phone #: _____

Cell Phone #: _____ Email: _____

Please calculate your event vendor fees & electrical usage fees below.

Total #_____ of Retail Vendors X \$15 = _____

Total #_____ of Food Vendors X \$30 = _____

Total Vendor Fee Due: _____

Electrical Requirements: Location of electrical needs to be included on Event Site Plan.

((Total # of connections @ 20 Amps or less _____) x (# of days _____)) x \$25 = _____

((Total # of connections @ 21 to 50 Amps _____) x (# of days _____)) x \$50 = _____

((Total # of connections @ 50 Amps or more _____) x (# of days _____)) X \$100 = _____

Total Electrical Usage Fee: _____

Total of All Event Fees: _____



**City of Hendersonville
SPECIAL EVENT PERMIT
STREET CLOSURE/SIDEWALK IMPACT NOTIFICATION & PETITION
(FOR COMMERCIAL AREAS)**



NOTIFICATION: I hereby certify that all property owners, managers or lessees adjacent to the proposed closure area have been or will be notified at least 20 days prior to the event, by flyer or petition of the date, time, purpose and specific location of this event.

Signature (Authorized Event Coordinator)

Date(s) of Notification

The Event Coordinator for _____ (Event Name)

is requesting the closure of _____ between _____

and _____.

The closure would occur between the hours of:

_____ (am/pm) and _____ (am/pm)

on ____ / ____ /20____ through ____ / ____ /20____.

The closure, if granted, will be for the exclusion of vehicles only. A 20' emergency lane shall be provided on all streets within the said closure at all times. The undersigned persons, being owners, managers or lessees of property immediately adjacent to the area to be closed as described above, hereby convey their approval of the above-noted request.

1) Contact Name (Printed)

Business Name or Property Address & Telephone

Signature

Date

2) Contact Name (Printed)

Business Name or Property Address & Telephone

Signature

Date

3) Contact Name (Printed)

Business Name or Property Address & Telephone

Signature

Date



City of Hendersonville
SPECIAL EVENT PERMIT
STREET CLOSURE/SIDEWALK IMPACT NOTIFICATION & PETITION
(FOR COMMERCIAL AREAS)
ADDITIONAL SIGNATURES PAGE



4) Contact Name (Printed) _____ Business Name or Property Address & Telephone _____

Signature _____ Date _____

5) Contact Name (Printed) _____ Business Name or Property Address & Telephone _____

Signature _____ Date _____

6) Contact Name (Printed) _____ Business Name or Property Address & Telephone _____

Signature _____ Date _____

7) Contact Name (Printed) _____ Business Name or Property Address & Telephone _____

Signature _____ Date _____

8) Contact Name (Printed) _____ Business Name or Property Address & Telephone _____

Signature _____ Date _____

9) Contact Name (Printed) _____ Business Name or Property Address & Telephone _____

Signature _____ Date _____

10) Contact Name (Printed) _____ Business Name or Property Address & Telephone _____

Signature _____ Date _____

Client#: 25128

NCAPP

ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/29/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Morrow Insurance Agency, Inc. 800 Beverly Hanks Centre PO Box 1109 Hendersonville, NC 28793		CONTACT NAME: PHONE (A/C, No, Ext): 828 693-5396 FAX (A/C, No): 828 693 5496 E-MAIL ADDRESS: PRODUCER CUSTOMER ID #:	
INSURED <div style="background-color: black; width: 200px; height: 40px;"></div>		INSURER(S) AFFORDING COVERAGE INSURER A: Cincinnati Ins. Co. INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC		EPP0128028	03/30/2012	03/30/2015	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS					COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DEDUCTIBLE RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$ \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? <input type="checkbox"/> Y/N (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below					WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
A	Dir/Off Liability		BCP8674394	03/24/2013	03/24/2016	\$1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

CERTIFICATE HOLDER

CANCELLATION

To whom it may concern

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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EVENT RECYCLING BIN LOAN PROGRAM

Henderson County coordinates a recycling bin loan program designed for use at community events, fairs, festivals, and block parties. Use is restricted to events held in Henderson County.

The county has 100 blue 32 gallon bins available. They are available at no cost to municipalities, clubs, schools, churches, and other organizations on a "first-come, first-served" reservation basis. Any number can be reserved *as available*. To do so, please complete the reservation request form below. Once approved, the user will need to confirm/arrange pick-up and return drop-off times. Bins should be returned clean and in good working order. Bins are stored at the Henderson County Solid Waste Department at 191 Transfer Station Drive. Location directions will be provided.

Megan Piner, Henderson County Environmental Programs Coordinator, is available to assist all users with planning & implementing successful recycling programs at their events.

Questions? Contact Megan: 828-694-6524 or: mpiner@hendersoncountync.org

Please use this form to request recycling bins for your event.

Name of Event/ Sponsoring Organization: _____

Your Name: _____

Phone number: _____ E-mail: _____

Mailing Address: _____

Event Location/Facility: _____

Event Date(s): _____

Estimated Attendance: _____

Number of units requested: _____

Pick-up date: _____ Time: _____

Return date: _____ Time: _____

Deposit Guarantee

These units may be borrowed with no money down by agreeing to guarantee a deposit. By signing below at pick-up, the user accepts full responsibility for the bins and agrees to pay the full replacement costs for any bins that are not returned, or are not returned intact. Replacement cost per bin is \$20, per lid is \$5.



Signature: _____ Date: _____

Office Use Only
Approval _____
Date _____
Units Returned _____

**AN ORDINANCE AMENDING CHAPTER 46 - STREETS, SIDEWALKS AND OTHER PUBLIC PLACES,
SECTIONS 46-84 AND 46-85 PERTAINING TO SPECIAL EVENTS**

Be it hereby ordained by the City Council of the City of Hendersonville:

1. Chapter 46, Section 46-84 of the Hendersonville Code of Ordinances respecting special events is hereby amended as follows:

Sec. 46-84 Exception; permitted special events.

Notwithstanding the foregoing provisions of this article, the city council may authorize the temporary obstruction of streets or sidewalks, or the use of other public property, in conjunction with special events. Provided, however, the special event sponsor shall ensure that there is a continuous five foot width of unobstructed sidewalk. Anyone desiring a special event permit shall make application to the city manager ~~detailing the nature and duration of the event and demonstrating how the event will benefit the general welfare of the city~~ by submitting a completed City of Hendersonville Special Event Permit Application. In deciding whether to issue a special event permit, the city council shall ~~balance the stated civic purpose of the event against the inconvenience to the public of closing streets and sidewalks and against the cost to the city of ensuring the public health, safety and welfare which is attendant to the special event~~ be guided by the City's Special Event Policy.

2. Chapter 46, Section 46-85 of the Hendersonville Code of Ordinances respecting special events is hereby amended as follows:

Sec. 46-85 Events committee established;..membership; duties.

...

(b) The membership of the events committee shall be as follows:

- (1) The chief of police or his designee;
- (2) The city manager or his designee; and
- (3) The director of public works or his designee;
- (4) ~~The representative of Downtown Hendersonville, Inc.,~~ The Downtown Economic Development Director or his designee shall be an ex officio member of the committee, having voice but no vote.

3. This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted this third day of December, 2015.

Barbara G. Volk, Mayor

Attest:

Tammie K. Drake, MMC, City Clerk

Approved as to form:

Samuel H. Fritschner, City Attorney



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Admin

Date Submitted: 12/23/2015

Presenter: Tom Wooten/Lew Holloway/Dave Hazzard

Date of Council Meeting to consider this item: 1/07/2016

Nature of Item: Discussion/Staff Direction

Summary of Information/Request:

Item # 11

The City received a \$96,000 Downtown Revitalization Grant from the North Carolina General Assembly. Staff is proposing to utilize these funds to revitalize the Azalea and Laughter Parking Lots. Tom Wooten, Lew Holloway and Dave Hazzard will present the proposed revitalization plan and work schedule for City Council discussion and final direction.

Budget Impact: \$ 96,000 Is this expenditure approved in the current fiscal year budget? No If no, describe how it will be funded.

A budget amendment will be prepared as soon as the contract documents are provided by the State of North Carolina.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

N/A. We wait on final approval until we receive the appropriate documents from the State of North Carolina

Attachments:

Proposed plans

ALL PLANTS SHALL BE PLANTED TO TOP OF ROOT BALL AT OR SLIGHTLY ABOVE EXISTING GRADE. UNLESS OTHERWISE SPECIFIED, ALL PLANTS SHALL BE PLANTED TO TOP OF ROOT BALL 18" ABOVE EXISTING GRADE.

ALL PLANT MATERIAL IS TO BE FULLY COMBUSTED FOR A MINIMUM OF ONE HOUR BEFORE USE IN PLANTING.

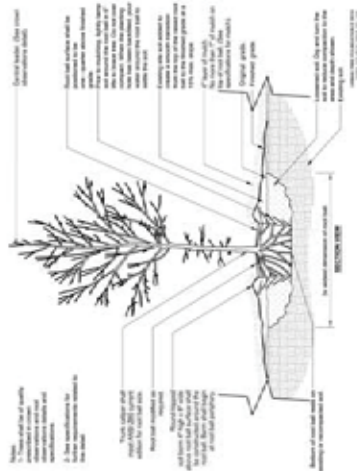
ALL PLANT MATERIAL IS TO BE INCULCATED IN A WOMAN LIKE MANNER USING ACCEPTED NURSERY PRACTICES AND METHODS.

All plans and amendments to Plans are to be made in accordance with the provisions of the Internal Revenue Code and the Regulations thereunder. The Board of Directors shall have the authority to make any amendments to the Plans which may be necessary to conform the Plans to the provisions of the Internal Revenue Code and the Regulations thereunder.

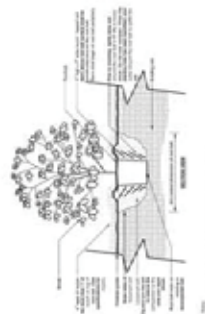
THE LOCATION OF EXISTING UTILITIES AS SHOWN ON THE PLANS MAY VARY IN RELATION TO ACTUAL CONDITIONS. MORE ADDITIONAL UTILITIES MAY BE FOUND ON THE DRAWING. THE CONTRACTOR SHALL VERIFY IN THE FIELD THE DATA SHOWN AND NOTIFY THE OWNER ABOUT ANY DISCREPANCIES BEFORE STARTING WORK.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE TO EXISTING UTILITIES CAUSED BY ANY PERSON, VEHICLE OR EQUIPMENT USED IN THE PERFORMANCE OF THE WORK.

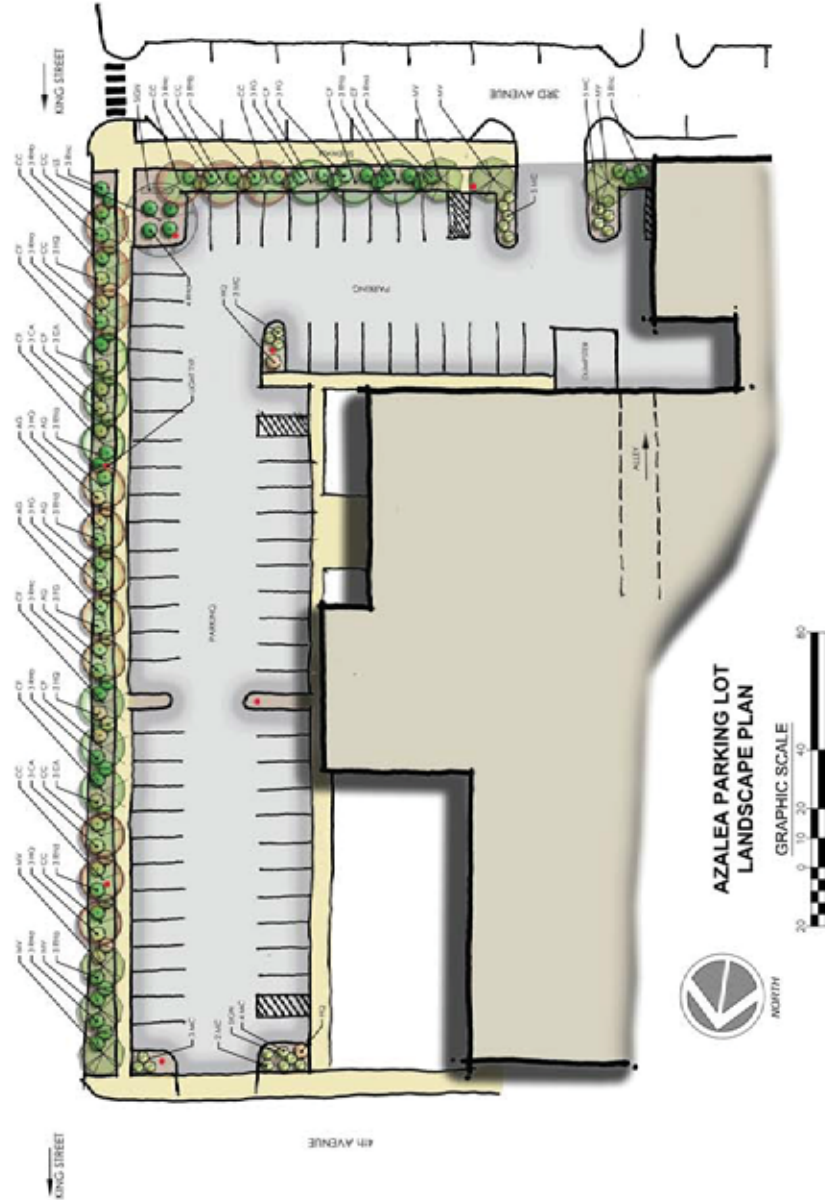
ALL TESTS AND/OR ANALYSES SHALL BE A MINIMUM OF 1000 POUNDS OF DOUBLE GRADE NATURAL BROWN HARDWOOD MILLION.



TREE PLANTING DETAIL N.T.S.



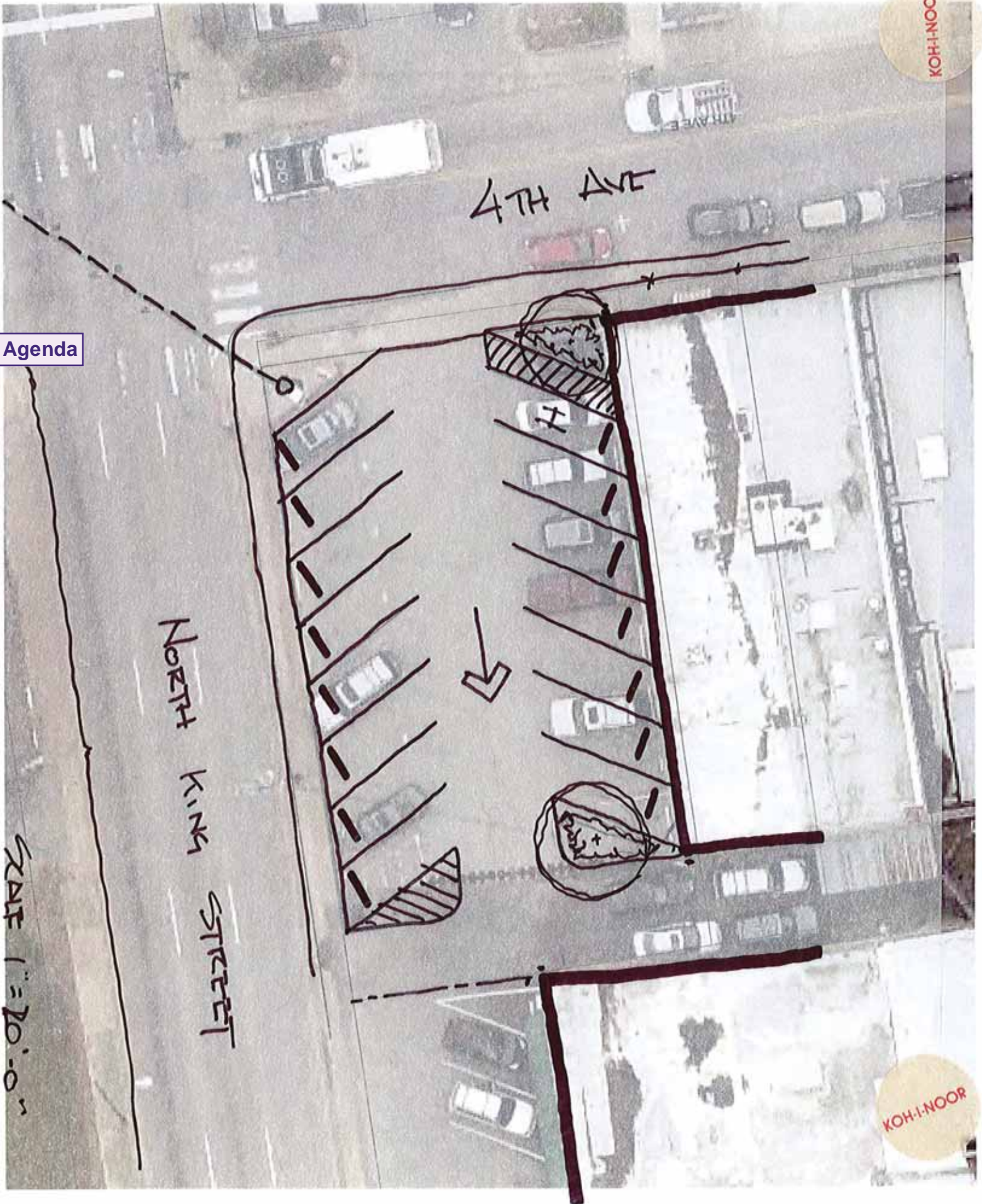
SHRUB PLANTING DETAIL N.T.S.

[illegible]

doi:10.1017/S0022292412001709

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Call before you dig.
N.C. One-Call Center
Dial 811 or 1-800-632-4949

n to Agenda





CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Sue Anderson, Planning Director

Department: Development Asst Dept

Date Submitted: December 8, 2015

Presenter: Sue Anderson

Date of Council Meeting to consider this item: January 7, 2016

Nature of Item: Council Action

Summary of Information/Request:

Item # 14a

File # P15-4-M

The City of Hendersonville has received a NCDOT Bicycle Planning Grant and City Council has budgeted \$5,000 toward the match for the grant. Blue Ridge Bicycle Club will be donating \$10,000 towards the City's required 30% match. Total amount for the study is approximately \$50,000.

As part of the Bicycle Plan process, NCDOT requires a Steering Committee to guide the process and work with the consultant. At the December City Council meeting, staff supplied information on the general categories to be considered for the Steering Committee along with possible suggestions for representation on the Committee. That information is attached. Staff also informed City Council that this item will be brought back in January for Council's consideration in appointing members for the Steering Committee. The size of the Steering Committee is at City Council's discretion.

Staff has forwarded the Board/Committee application to those who have shown interest in serving on the Hendersonville Bicycle Plan Steering Committee. Applications received to date are attached. If City Council has appointees that have not yet filled out an application, staff will forward those applications for completion so we have all the necessary contact information.

Budget Impact: \$ _____ Is this expenditure approved in the current fiscal year budget? ☐ N/A If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move City Council to appoint the following to serve on the Hendersonville Bicycle Plan Steering Committee:

Please list appointees.

Attachments:

Steering Committee Sheet
Applications

NCDOT Potential Members of a Bicycle and/or Pedestrian Plan Steering Committee

General categories for representation:

- **Relevant Planning staff** (Sue Anderson – Planning Director & Staff Support / Dave Hazzard – Planner & Staff Support)
- **Police representative** (Officer Garrett Gardin – PD Bicycle Officer)
- **Public Works Director** (Tom Wooten – Public Works Director)
- **Local council member** (Council Appointment)
- **Medical facility or health representative** (Dr. Ken Shelton – Pardee Hospital / Jodi Grabowski – Park Ridge Community Outreach)
- **Elderly person possibly from retirement center/community (typically more for pedestrian plans)** (Dr. Bernie Fox - retiree)
- **Chamber or downtown business or major employer** (Donnie Kirkwod – Manager at Sycamore Cycles / Lorie Dorsey – Manager at Mast General Store / Lance Norton – Outdoor Manager at Mast General Store)
- **School system representative** (Dan Keally – Hendersonville High School Teacher / Tommy Oakman – Human Resource Manager Blue Ridge Community College)
- **Major community representative (someone who can speak for a large sector of the community)**
- **YMCA and other community physical activity-centered organizations** (Stacy Taylor – Health Education Director at HC Department of Health / Tim Hopkin – Director of HC Park and Recreation / Laura Rice – HC Trips for Kids)
- **One or two long-time (well known) town residents that can potentially represent the mixed demographic of the local community**
- **A knowledgeable bicycle or pedestrian advocate (depending upon which type of plan you are creating): someone who is already a**

strong active voice for bicycle or pedestrian needs. (Joe Sanders – President Blue Ridge Bicycle Club)

- **NCDOT Division Planning Engineer** (Steve Cannon – NCDOT District Engineer)
- **MPO/RPO representative** (Tristan Winkler – Transportation Planner at FBMPO)
- **Any other special populations**



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: Tammie Drake

Department: Admin

Date Submitted: 12.30.15

Presenter: Tammie Drake

Date of Council Meeting to consider this item: 12/03/15

Nature of Item: Council Action

Summary of Information/Request:

Item # 14b

APPOINTMENTS:

TREE BOARD: The terms of two members on the Tree Board will expire in February: Ben Pace and Richard Baxter. Mr. Pace has declined reappointment and Mr. Baxter is willing to serve another term. You have received applications from Mark Madsen and Patricia Christie.

ANNOUNCEMENTS:

PLANNING BOARD: Mr. Michael Coggins resigned from the Planning Board leaving one vacancy on that Board. We have one application on file from Ian Edwards who is currently serving on the Environmental Sustainability Board.

ENVIRONMENTAL SUSTAINABILITY BOARD: There are five City resident positions and two of those are vacant.

Budget Impact: \$ _____ Is this expenditure approved in the current fiscal year budget? If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

Attachments:

board membership lists



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY

Submitted By: John Connet

Department: Admin

Date Submitted: 12/23/2015

Presenter: John Connet

Date of Council Meeting to consider this item: 01/07/2015

Nature of Item: Discussion/Staff Direction

Summary of Information/Request:

Item # 16

City Manager John Connet requests a closed session in accordance with NCGS 143-318.11(a) (5) to establish or instruct the staff concerning the position to be taken by or on behalf of the City Council on negotiating for the acquisition of real property identified as Henderson County parcel 9936563 for the purpose of operating a sewage package plant, negotiating for the acquisition of real property identified as Henderson County parcels 016852 and 0109187 for the purpose of expanding a public street and constructing a parking lot and per 143-318.11(a) (9) to discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and receive a briefing by staff members.

Budget Impact: \$ TBD Is this expenditure approved in the current fiscal year budget? If no, describe how it will be funded.

Suggested Motion: *To disapprove any item, you may allow it to fail for lack of a motion.*

I move that the City Council enter closed session in accordance with 143-318.11 (a) (5) to establish or instruct the staff concerning the position to be taken by or on behalf of the City Council on negotiating for the acquisition of real property and 143-318.11 (a) (9) to discuss and take action regarding plans to protect public safety as it relates to existing or potential terrorist activity and receive a briefing by staff members.

Attachments:

Proposed recommendations